

## AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LA  
September 2, 1993  
10:00 AM

- ✓1. Roll Call
- ✓2. Approval of Minutes of August 5, 1993
- ✓3. Report on Cormorants in the State - Jimmy Jenkins/Corky Perret
- ✓4. Update on Hypoxic Area off Louisiana Coast - Tee John Mialjevich
- ✓5. Aircraft Report - Lee Caubarreaux
- ✓6. Declaration of Emergency for Duck, Goose and Coot Hunting Season Dates - Robert Helm
- ✓7. Wild Louisiana Stamp Administrative Rules and Policy - Gary Lester
- ✓8. Notice of Intent - Change Alligator Rules to Comply with Statute Changes - Johnnie Tarver
- ✓9. Declaration of Emergency - Set Trapping Season - Johnnie Tarver
- ✓10. Discussion of Mussel Plan - Bennie Fontenot
- ✓11. Ratify Menhaden Season - Harry Blanchet
- ✓12. Notice of Intent - Commercial Fisherman's Sales Report Form - Joey Shepard
- ✓13. Notice of Intent - Dealer Receipt Form - Joey Shepard
- ✓14. Discussion of Shrimp Sanctuaries (Informational Purposes Only) - Corky Perret/Brandt Savoie
- ✓15. Civil Restitution and Class 1 Update - Wynnette Kees
- ✓16. Discussion of Non-Resident License Fees (Informational Purposes Only) - Fred Prejean/License Section
17. Monthly Law Enforcement Report/August - Winton Vidrine
18. Secretary's Report to the Commission - Joe Herring
19. Set December 1993 Meeting Date
20. Public Comments

**LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES**

**BOARD MEETING**

**SEPTEMBER 2, 1993**

**BERT H. JONES  
CHAIRMAN**

**BATON ROUGE, LOUISIANA**

The following constitute minutes of the Commission Meeting  
and are not a verbatim transcript of the proceedings.

Tapes of the meetings are kept at the  
Louisiana Department of Wildlife and Fisheries  
2000 Quail Drive

Baton Rouge, Louisiana 70808  
For more information call (504) 765-2806

**AGENDA**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**BATON ROUGE, LOUISIANA**  
**SEPTEMBER 2, 1993**

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MINUTES OF THE MEETING  
OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, September 2, 1993

Chairman Bert H. Jones presiding.

James H. Jenkins, Jr.  
Peter Vujnovich  
Jeff Schneider  
Joseph B. Cormier  
Tee John Mialjevich

Commissioner Perry Gisclair was absent from the meeting.

Secretary Joe L. Herring was also present.

Chairman Jones called for a motion for approval of the **August 5, 1993, Commission Minutes**. A motion for approval was made by Commissioner Vujnovich and seconded by Commissioner Schneider. The motion passed unanimously.

A Report on Cormorants in the State was given by Mr. Arthur Williams. Mr. Williams began by stating there was a lot of information and misinformation on cormorants going around. The cormorant population has increased over the last 10 years and the migration through the Mississippi Valley may also be increasing each year. The cormorant is benefitting from man's activities; they adapt well to changes and are attracted to concentrated food sources. Mr. Williams surveyed the fisheries biologists in the State and the range of population for the cormorants has gone from no change since 1980 to triple the population.

Texas did a study on the food habits of the cormorants and found that they eat heavily on shad. The size fish taken are mainly less than six inches in length. The weight of the fish taken is approximately one-half a pound.

Mr. Williams felt the development of a behavioral-based control strategy would be necessary and also an assessment of the damages the cormorant is doing.

Commissioner Jenkins asked how old was the study from Texas and when was it finished? He stated they were everywhere and after talking with fish farmers, he noted they were really concerned about the bird. Then he asked if they ate saltwater fish, when does this type of animal become a pest and what can be done about the bird? Commissioner Jenkins also noted there was not a lot of information on the bird to which Mr. Williams replied information was being gathered now. Commissioner Jenkins asked if the

cormorants ate crawfish? Commissioner Schneider asked what action did Oklahoma and Arkansas take? Commissioner Jenkins asked if the cormorant was a Federally managed bird and what did the legislation from Oklahoma and Arkansas mean? He then stated he was glad information was being obtained and felt it was really needed. Commissioner Vujnovich stated he enjoyed watching the cormorants catching catfish.

Commissioner Jenkins asked when would information from the study be available? Chairman Jones asked who made up the Louisiana Aquaculture Association? He felt the Department should present the Association with information on implementing a management plan for cormorants. Commissioner Jenkins noted there was no decrease in the population; felt contact should be made with commercial and recreational fishermen as well as the business groups; requested a time table for information on the bird; and requested a target date for "strategy". Chairman Jones asked what method was used to keep them off the hatcheries? Commissioner Jenkins mentioned a permit could be obtained from U.S. Fish and Wildlife Service to shoot them. Then he requested Mr. Williams to come back at the November Commission Meeting and tell what would be done and when it would be done. Chairman Jones asked how much does a cormorant weigh?

**An Update on Hypoxic Area off Louisiana Coast** was requested by Commissioner Mialjevich. He had received a number of calls from fishermen reporting no shrimp in his area and "dead areas". Also there were reports of dead areas around the Chandeleur Islands. Mr. Jim Hanifen of the Marine Fisheries Division began by defining what a hypoxic area was and explaining why it occurred. The hypoxic area for the Gulf coast in 1993 covered approximately 5,000 square miles. The areas east of the Mississippi River are caused by an increase or decrease in phytoplankton populations that is driven by weather. The area is so large this year because of the enormous amount of discharge from the Mississippi River. The time frame for these conditions to exist in the Gulf is after the last cold front in the spring until the first cold front during the fall passes. The hypoxic area can move inshore and offshore on a daily basis. In late July, the hypoxic area extended from the Mississippi River over to the Calcasieu River and extends offshore from 30 miles at the Fourchon area to 70 miles in the western part of the State. The fisheries affected by this condition are those which stay on or near the bottom; organisms will move away from a hypoxic area, however a fish kill can occur. Once the area has disappeared, the animals will recolonize very quickly.

Commissioner Schneider asked if the hypoxic areas were related to pollution or just freshwater. Commissioner Jenkins asked if fish would migrate across the areas into good areas. Commissioner Mialjevich asked if the shrimp could migrate over an area to come inshore; if the area where shrimp normally is has migrated to another area; and when were these areas first measured? Chairman Jones inquired as to whether the channelization of the Mississippi

River was a cause to these conditions occurring. Mr. Corky Perret asked Mr. Hanifen if there was any biological data to show what the catch would be in the low oxygen area.

The July Aircraft Report was presented by Mr. Lee Caubarreaux. This report showed four pilots flew a total of 69.5 hours for the month. A listing of the hours of each plane flown was stated as well as the estimated cost and actual cost. Commissioner Jenkins asked about the corrected cost for the planes. Chairman Jones corrected Mr. Caubarreaux in that the report was for July and not August. Commissioner Jenkins wondered why the Float-MW had less than 2 hours flying time and if the plane was down for maintenance; and did the Department use the Aero-Commander during the month? Chairman Jones indirectly asked about the aquatic weed problem on Caney Lake as a result of the flights over Caney Lake and if there would be any grass carp put into Caney Lake? Commissioner Vujnovich asked Chief Pilot Gene Rackle how the oyster surveying flights were going and if the Department was going to make any money from it? Commissioner Mialjevich noted the Enforcement plane only flew four times for enforcement and asked if there were other planes that flew for Enforcement, and then asked if the big boat was out checking to the west also?

Declaration of Emergency on the 1993-94 Duck, Goose and Coot Hunting Season Dates was given by Mr. Robert Helm. He reminded the Commission the tentative dates for these seasons were presented and adopted at the August Commission Meeting and a final ratification was needed at the meeting. Mr. Helm then read the dates for the record. He noted he has received mostly good comments from the public. Mr. Helm read the Therefore Be It Resolved portion of the Resolution. Commissioner Jenkins made a motion to adopt the Resolution which included the Declaration of Emergency. Commissioner Vujnovich seconded the motion. The motion passed with no opposition. Chairman Jones asked if there were any new duck reports, and then reported the ducks were staging in the north.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
September 2, 1993

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA, September 2, 1993.

**WHEREAS,** public hearings in Washington, D.C. have been held on late season migratory birds that include ducks, geese and coots, and

**WHEREAS,** the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

**WHEREAS,** rules and regulations governing migratory bird season frameworks have been developed by the U.S. Fish and Wildlife Service, and

**WHEREAS,** the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for ducks, geese and coots that include season dates, bag limits, and shooting hours, and

**WHEREAS,** it is the statutory responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for these migratory species within constraints established by the U.S. Fish and Wildlife Service framework, and

**WHEREAS,** tentative dates, bag limits and shooting hours were adopted at the August Commission meeting, now

**THEREFORE BE IT RESOLVED,** that on this date, the Louisiana Wildlife and Fisheries Commission does hereby adopt the attached season dates, bag limits and shooting hours by Declaration of Emergency, and

**BE IT FURTHER RESOLVED,** that this Declaration of Emergency shall be in effect beginning November 13, 1993 and extends through sunset February 20, 1994, and

**BE IT FURTHER RESOLVED,** that these dates will be forwarded to the U.S. Fish and Wildlife Service as regulations for Louisiana's 1993-94 Migratory Bird Hunting Seasons.

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Bert H. Jones, Chairman  
Louisiana Wildlife & Fisheries  
Commission

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Joe L. Herring, Secretary  
Louisiana Department of Wildlife  
& Fisheries

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, and under authority of R.S. 56:115, the Secretary of the Department of Wildlife and Fisheries



and the Wildlife and Fisheries Commission hereby adopts the following Emergency Rule:

The hunting seasons for ducks, coots and geese during the 1993-94 hunting season shall be as follows:

Ducks and Coots (Closed Season on Canvasbacks)

West Zone: 30 days

November 13 (Saturday) - November 28 (Sunday)	16 days
December 27 (Monday) - January 9 (Sunday)	14 days

East Zone: 30 days

November 20 (Saturday) - November 28 (Sunday)	9 days
December 27 (Monday) - January 16 (Sunday)	21 days

Catahoula Lake: 30 days

November 20 (Saturday) - November 28 (Sunday)	9 days
December 13 (Monday) - January 2 (Sunday)	21 days

Shooting Hours: One-half hour before sunrise to sunset.

Daily Bag Limit: The daily bag limit on ducks is 3 and may include no more than 2 mallards (no more than 1 of which may be a female), 1 black duck, 2 wood ducks, 1 pintail and 1 redhead. Daily bag limit on coots is 15.

Mergansers: The daily bag limit for mergansers is 5, only 1 of which may be a hooded merganser. Merganser limits are in addition to the daily bag limit for ducks.

Possession Limit: The possession limit on ducks, coots and mergansers is twice the daily bag limit.

Geese: (Statewide Season)

November 13 (Saturday) - December 5 (Sunday)	23 days
December 18 (Saturday) - February 2 (Wednesday)	47 days
February 3 (Thursday) - February 12 (Saturday)	10 days

Daily Bag Limit: Daily bag limit is 7 in the aggregate of blue, snow and white-fronted geese of which not more than 2 may be white-fronted (specklebellies). During the last 10 days (February 3-12), only blue and snow geese may be taken. During the Canada Goose Season (January 19-27) the daily bag limit for Canada geese and white-fronted geese is 2, of which not more than 1 can be a Canada goose. Possession limit is twice the daily bag limit.

Canada Goose Season: January 19-27

A goose season will be open in a portion of southwest Louisiana. The area shall be described as follows:

Easterly from the Texas line along Highway 12 to Ragley; then easterly along U.S. 190 from Ragley to its junction with I-49 near Opelousas; then south along I-49 to its junction with Highway 167 near Lafayette; then south along Highway 167 from Lafayette to its junction with Highway 82 at Abbeville; then south and west along Highway 82 to the Intracoastal Waterway at Forked Island; then westerly along the Intracoastal Waterway from Forked Island to the junction of the Intracoastal Waterway and the Calcasieu Ship Channel; then south along the west side of the Calcasieu Ship Channel to Highway 82 at Cameron; then westerly along Highway 82 to the Texas line. All lands lying within these boundaries shall be open for the experimental Canada goose season except all open waters of Lake Arthur and the Mermentau River from the Highway 14 bridge southward.

A special permit shall be required to participate in the Canada Goose Season. A permit is required of everyone, regardless of age, and a non-refundable \$5.00 administrative fee will be charged. This permit may be obtained from the Lake Charles, Opelousas or Baton Rouge offices.

Return of harvest information requested on permit is mandatory. Failure to submit this information by February 14, 1994 will result in the hunter not being allowed to participate in the Canada Goose Season the following year.

A Declaration of Emergency is necessary because the U.S. Fish and Wildlife Service establishes the framework for all migratory species. In order for Louisiana to provide hunting opportunities to the 200,000 sportsmen, selection of season dates, bag limits, and shooting hours must be established and presented to the U.S. Fish and Wildlife Service immediately.

The aforementioned season dates, bag limits and shooting hours will become effective on November 13, 1993 and extend through sunset on February 20, 1994.

Bert H. Jones  
Chairman

Policy for Administration of Wild Louisiana Stamp Program was the next item presented by Mr. Gary Lester. Mr. Lester informed the Commission this was not a rule for their action, that the Legislature gave the authority to develop the rules for the Program to the Secretary. Act 193 of the 1992 Legislative Session established the Wild Louisiana Stamp Program and the cost for a stamp is \$5.50. Act 441 of the 1993 Legislative Session gave the Secretary the authority to develop a \$2.00 stamp for a single day. The \$2.00 stamps should be available by the end of October. Chairman Jones asked if the black bear would be used on the \$2.00 stamp and why are those over 60 years of age continually excluded

from buying licenses or required to buy a license at a reduced rate. Mr. Tommy Prickett advised the Commission of legislation that has been introduced during the past sessions and has failed. The Commission members encouraged the Department to continue with the legislation.

Going on, Mr. Lester explained the regulations for commercial and non-commercial use. Some exemptions for the stamp would be those individuals under 16 and over 60 years of age; those individuals crossing WMA's or refuges just to get to non-Department administered land; an employee of a governmental agency if performing their day to day activities and being paid for it. Persons who perform such activities as field trials or other special events can either buy the stamp or pay a flat rate of \$50 for that particular event. With regard to the commercial aspect of the Program, exemptions would be given to those who are involved with commercial activities provided the guide or operator pays a fee of \$1,000 for the year. Another option for the guides or operators would be to require their guests to obtain a license or stamp. During June of each year, all guides or operators are required to submit a report of the number of people that toured the Department's facilities during that year. Chairman Jones asked if there has been any monitoring going on since June and how it was going.

Commissioner Jenkins asked, if the commercial operators does not pay the \$1,000, can he require each customer to buy a stamp or have a license? Does an operator have the right to prohibit a person that does not have a stamp from coming on his boat? And can a charter boat captain require a fishermen to buy a fishing license? Commissioner Mialjevich asked where did the \$1,000 fee come from since it did not appear in either Act? Did the Commission vote on this and do they have to vote on it, would the expenses for the stamp, the printing and distributing come from the Natural Heritage Account, and would the Program be self-sustaining? Commissioner Jenkins stated the Act gave the Secretary the authority to develop the regulations and as such there would be no public input, then asked if the current charges were part of the rule making process? He felt it wrong there would not be an opportunity for the public to comment on the rules for the Program and asked how did the Department testify on a bill that excluded public comment? Mr. Hugh Bateman and Secretary Herring explained who set up the Program and how it was to be done. Commissioner Jenkins asked if the operators that would be charged \$1,000 were happy with these regulations and added that, in the future, if there is legislation that excludes the public's input through the Commission process, to let the Commission know and they can decide whether to support it or try to have it changed. Chairman Jones asked who wrote the legislation; did it pass as originally written; and was there a reason or a purpose for leaving the Commission out? He then asked Mr. Lester if he would be in favor of amending the

legislation to provide for public input and reestablish the Commission to have some authority?

Mr. Randy Lanctot, Louisiana Wildlife Federation, stated this process was the result of concern expressed after the initial legislation was passed to address day use of the WMA's. He agreed that some type of public input would be advisable on this Program. Chairman Jones asked Mr. Lanctot if there was a reason for leaving the Commission out of the legislation. Mr. Lanctot stated that in Title 56 there are regulations that do and do not include the Commission. He felt the Secretary's authority was sufficient but again stressed some public input was advisable. Chairman Jones again expressed concern over the fact there would be no public input.

Commissioner Jenkins asked who put the item on the agenda; if the Commission was excluded from the process, why have it on the agenda; and if the Commission wanted to change something, could they change it? Mr. Clyde Kimball reassured the Commission there was never any intention to leave the Commission out of the process. Secretary Herring stated he felt with this being a new program, there would certainly be problems that would have to be corrected. Commissioner Jenkins made a motion that the Commission adopt a Resolution asking "the Secretary in the Department and all the appropriate people to include the Commission in the process on this bill at the earliest time they can". Commissioner Mialjevich seconded the motion. The motion passed unanimously. Chairman Jones assured Mr. Lester the Commission was behind him but wanted to help also.

Chairman Jones recognized Mrs. Sharyn Bateman, a former employee of the Department who was in the audience.

A Notice of Intent to Change the Alligator Rules to Comply with Statute Changes was given by Mr. Johnnie Tarver. Mr. Tarver reminded the Commission of Act 294 of the 1993 Legislative Session changed the statutes dealing with payment of alligator tags and label fees. The major change is, instead of the farmer or the hunter paying the fee up front, the dealer will pay the tag fee when shipping out-of-state. The industry strongly supports this change and they pushed the Department on this legislation. Commissioner Schneider asked if the change would have any effect on the enforcement capabilities, and if this was just a change in method of payment? Commissioner Jenkins asked if the changes were in the 33 pages of rules they were looking at; if the changes were the ones underlined and struck out; do all the changes pertain to just the tags and the flaps; and questioned the adding in of the taxidermists to the rules and if the taxidermist was to collect the fees? Then Commissioner Jenkins stated he was not familiar with the document and the changes and asked if this was the first time the Commission had seen the document? Mr. Tarver advised Commissioner Jenkins that this was just a Notice of Intent and

public comments would be accepted if the Commission wanted to make any changes. Commissioner Schneider asked if this year's season would be handled under the old rules. Commissioner Jenkins asked if it involved enforcement policies and any other sections of the Department would be dealing with alligators. Chairman Jones asked Mr. Tarver to read the Notice of Intent. He then asked the Commission's pleasure on the Notice of Intent. Commissioner Cormier made a motion to accept the Notice of Intent and was seconded by Commissioner Mialjevich. Commissioner Cormier asked if there should be 120 days before the rule was finalized and then stated a meeting should be held with Enforcement to make sure the new regulations are enforceable. The motion passed with Commissioner Jenkins abstaining.

(The full text of the Notice of Intent is made a part of the record.)

#### NOTICE OF INTENT

##### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the alligator regulations which govern the wild and farm alligator harvest. The alligator industry of Louisiana represents a renewable resource, valuable to the economy providing income to approximately 110 alligator farmers and in excess of 1,900 alligator hunters. The alligator farming program and the annual harvest of surplus wild and nuisance alligators is in keeping with wise wildlife management techniques based upon scientific research conducted by the Department of Wildlife and Fisheries.

The Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

The regulations governing the alligator harvest program and the alligator farming program may be viewed at the Wildlife and Fisheries Headquarters, 2000 Quail Drive, Baton Rouge, LA, phone (504) 765-2812.

Interested persons may submit written comments on the proposed regulations to Mr. James Manning, Fur and Refuge Division,

Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA,  
70898-9000 no later than 4:30 p.m. Tuesday, November 2, 1993.

Bert H. Jones  
Chairman

## **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part V. Wild Quadrupeds and Wild Birds**

##### **Chapter 7. Alligators**

##### **§701. Alligator Regulations**

\* \* \*

###### **C. General Rules.**

\* \* \*

12. There is levied a severance tax of twenty-five cents on each alligator hide taken from within the state, payable to the state through the Department by the alligator hunter or alligator farmer shipping or taking his own catch out of state, or shipping to an instate taxidermist, or by the dealer shipping skins or hides out of state or tanning alligator skins in Louisiana. Violation of this part is a class 2 violation as described in Title 56.

\* \* \*

15. Alligator meat and parts may be shipped in containers that are sealed and the parts identified to the CITES tag of origin. A fully executed alligator hunter, farmer, or parts dealer Alligator Parts Sale or Transaction Form and Shipping Manifest shall meet the U.S. Fish and Wildlife Service parts identification requirements, provided such form(s) is/are prominently attached to the outside of each shipping container. Alligator meat/parts shipped to another state must meet applicable state/federal requirements of the receiving state. Alligator meat/parts exported from the United States must meet the requirements of the U.S. Fish and Wildlife Service as well as those of the receiving country. Alligator skulls being exported shall carry a "tag" containing the CITES tag number and the hunter's name and license number. The skull must also be physically marked with the number of the original CITES tag used for the hide of the individual alligator. Violation of this part is a class 3 violation as described in Title 56.

###### **D. Licenses, Permits and Fees.**

\* \* \*

3. No person may engage in the business of buying alligators for the purpose of skinning or buying and selling alligator skins unless he has acquired a resident or nonresident fur buyers license. No resident or nonresident fur buyer shall ship furs, alligators, or alligator skins out of state. Violation of this part is a class 3 violation as described in Title 56.

4. No person may engage in the business of buying alligators for the purpose of skinning or buying and selling alligator skins or shipping alligator skins out of state or tanning alligator skins within the state unless he has acquired a resident or nonresident fur dealers license. Violation of this part is a class 3 violation.

\* \* \*

11. Every alligator hunter or alligator farmer shipping or transporting his own catch of alligator skins out of state is liable for the alligator hide tag fee and the severance tax thereon, and shall apply for an official out of state shipping tag to be attached to the shipment and shall pay the alligator hide tag fee and the severance tax prior to shipment. Violation of this part is a class 2 violation as described in Title 56.

\* \* \*

#### F. Alligator Hide Tag Procurement and Tagging Requirements

\* \* \*

2. Landowners, Land Managers and Hunters - upon application to the Department on forms provided for tag issuance. Applications for alligator tag allotments will be taken annually beginning August 1 and ending 10 days after the season opens. Tags will not be issued after the 10th day following the season opening date.

\* \* \*

c. Alligator hide tags shall be issued to licensed alligator hunters without charge. Numbered alligator hide tags shall only be issued in the name of the license holder and are nontransferable. All unused alligator tags shall be returned within 15 days following the close of the season.

3. Alligator farmers - Alligator hide tags shall be issued to properly licensed alligator farmers without charge upon request at any time at least two weeks prior to scheduled harvesting, subject to verification of available stock by Department personnel. All unused alligator tags shall be returned

to the Department within 15 days following the last day of the year that issued tags are valid.

\* \* \*

G. Open Season, Open Areas, and Quotas.

\* \* \*

2. The open areas are as follows:

\* \* \*

d. The open alligator egg collection season shall include those areas designated by the biological staff of the Department as alligator habitat which can sustain an egg collection harvest and egg quotas will be determined by Department biologists.

\* \* \*

J. Nuisance Alligator Control

\* \* \*

4. Tags will be issued without charge to nuisance alligator hunters. Nuisance alligator hunters will attempt to catch nuisance alligators and relocate to natural habitat selected by the Department. It is unlawful for any nuisance alligator captured alive to be sold or otherwise disposed of on an alligator farm. Alligators and alligator parts taken under these provisions may be retained and sold by the nuisance alligator hunter as any other legally taken wild alligator or alligator part. Violation of this part is a class 4 violation as described in Title 56.

\* \* \*

K. Report Requirements

\* \* \*

2. Commercial alligator hunters receiving hide tags from the Department are responsible for disposition of all issued tags and must:

a. Complete an official alligator parts transaction form furnished by or approved by the Department for each alligator part transaction. These forms shall be submitted to the Department at the end of the calendar year.

\* \* \*



c. All unused tags must be returned to the Department within 15 days following the close of the season.

\* \* \*

g. The alligator hide tag fee and severance tax shall be collected by the Department from the alligator hunter who is shipping his own alligators or raw alligator skins, or who intends to custom tan, or use for taxidermy, the alligators or raw skins.

\* \* \*

4. Alligator farmers receiving hide tags from the Department are responsible for disposition of all issued tags and must:

a. Complete an official alligator parts transaction form, furnished by or approved by the Department for each alligator parts transaction. These forms shall be submitted to the Department along with the annual report. Violation of this part is a class 2 violation as described in Title 56.

\* \* \*

c. All unused hide tags must be returned to the Department within 15 days following the last day of the year that issued tags are valid. Violation of this part is a class 2 violation as described in Title 56.

\* \* \*

g. The alligator shipping label fee or the alligator hide tag fee and the severance tax shall be collected by the Department from the alligator farmer who is shipping alligators or raw alligator skins, or who intends to custom tan, or use for taxidermy, the alligators or raw skins.

5. Fur buyers, fur dealers, alligator farmers and alligator hunters engaged in the business of buying and/or selling whole alligators or alligator hides must keep within the state a complete record on forms provided by or approved by the Department, all purchases and sales of whole alligators or alligator hides as described in Title 56, and;

a. Every fur buyer, fur dealer, alligator farmer or alligator hunter having undressed alligator hides in his possession shall file with the Department within 60 days of purchase or within 60 days of tagging or prior to shipping out of state or prior to tanning skins in Louisiana, whichever occurs first, a complete report, on forms provided by or approved by the Department, a detailed description of alligator hides to be shipped

or tanned. At the time of shipment or prior to tanning, Department personnel will inspect hides and replace any broken or reattached tags. Department personnel will issue the appropriate number of yellow shipping tags, one for each shipment. At that time, Department personnel will affix a seal/or locking device to each container and if container is reopened by anyone other than Department personnel or Federal personnel this action will be considered illegal. In conjunction with the inspection and prior to Department issuance of shipping tag(s) and seal(s) or locking device(s), Department personnel must collect:

\* \* \*

ii. Shipping manifest including each skin in shipment. A fully executed (filled out) shipping manifest containing all information required in the buyer/dealer record may be substituted with Department approval for the buyer/dealer record requirement on farm raised alligator skins.

\* \* \*

iv. Severance tax and alligator hide tag fees owed by alligator hunter, alligator farmer or fur dealer.

\* \* \*

6. Fur dealers engaged in the business of buying and selling alligator hides must maintain complete records of alligator hides purchased inside and outside the state as described in Title 56. Fur dealers in the business of tanning alligator hides must provide a monthly report, on forms provided by or approved by the Department, of all alligator hides being held in inventory. Failure to maintain complete records and to pay the required severance tax and alligator hide tag fees subjects any dealer to the full penalties provided and the immediate revocation of his license by the Department. No license shall be issued to a dealer who has not paid the tax and alligator hide tag fees for the preceding year. Violation of this part is a class 3 violation as described in Title 56.

\* \* \*

#### P. Exceptions

1. The Department or an authorized representative of the Department may take by any means and possess alligators, alligator eggs, or parts of alligators while in the performance of official duties.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, 259, 261, 262, 263 and 280.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:1070 (December 1990), Amended LR 17:892 (September 1991), Amended LR 19:215 (February 1993), Amended LR

A Declaration of Emergency to Set Trapping Season was presented by Mr. Johnnie Tarver. He began by reading the Emergency Resolution. Commissioner Schneider made a motion to accept the Resolution and Declaration of Emergency and was seconded by Commissioner Vujnovich. Chairman Jones commented he has received calls requesting nutria meat for sale outside the season. The motion passed with no opposition.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

#### EMERGENCY RESOLUTION

La. Wildlife and Fisheries Commission

August 20, 1993

WHEREAS, the promulgation of trapping season for the taking of furbearers is a wise use of a renewable natural resource; and

WHEREAS, biological data has determined that populations of furbearing animals are at or above carrying capacity and that surplus animals taken by legal trapping have no adverse impact on those populations; and

WHEREAS, the Fur and Refuge Division recommends an open trapping season for 1993-94 as follows:

North Zone: All furbearers, November 20, 1993 through February 15, 1994.

Experimental Season: February 16, 1994 through March 15, 1994. Soft catch only (padded trap) and non-locking snare.

South Zone: All furbearers, December 1, 1993 through February 28, 1994.

The boundary between North and South Zones shall be: Interstate Highway 10 from Texas state line to Baton Rouge; Interstate Highway 12 from Baton Rouge to Slidell,

and Interstate Highway 10 from Slidell to the Mississippi state line.

Bobcat and otter by federal regulation must have an export tag attached to verify origin in Louisiana at the time of sale. State possession tag must accompany pelt during instate commerce.

**THEREFORE BE IT RESOLVED**, that the Louisiana Wildlife and Fisheries Commission does hereby adopt these recommended dates for the 1993-94 trapping season.

**BE IT FURTHER RESOLVED**, that the Louisiana Wildlife and Fisheries Commission does hereby authorize the Secretary of the Department of Wildlife and Fisheries to take any and all necessary steps to promulgate the 1993-94 trapping season including extending or shortening the adopted season for furbearer management purposes.

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Bert H. Jones, Chairman  
Louisiana Wildlife & Fisheries  
Commission

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Joe L. Herring, Secretary  
Louisiana Department of Wildlife  
& Fisheries

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) the Administrative Procedure Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set the furbearer trapping season and the rules regulating it, and R.S. 56:260, the 1993-94 furbearer trapping season is hereby established in accordance with the following regulations.

The season for the trapping of furbearers by licensed trappers shall be:

North Zone: All furbearers, November 20, 1993 through February 15, 1994.

South Zone: All furbearers, December 1, 1993 through February 28, 1994.

Experimental Season: February 16, 1994 through March 15, 1994. Soft catch (padded jaw) and non-locking snare only.

The boundary between the North and South Zones will be: Interstate Highway 10 from the Texas state line to Baton Rouge; Interstate Highway 12 from Baton Rouge to Slidell; and Interstate Highway 10 from Slidell to the Mississippi line.

Bobcat and otter by federal restriction is imposed by the CITES Scientific Authority require the placement of an export tag prior to out-of-state shipment.

Bert H. Jones  
Chairman

**Discussion of Non-Resident License Fees** for informational purposes only was initiated by Mr. Fred Prejean. The Department had received numerous unfavorable telephone calls about an increase in non-resident license fees. The two-day trip license and the seven-day trip license are the main areas of concern. Mr. Prejean provided the Commission with information on non-resident license fees for the states along the Gulf coast, a copy of the legislation that increased the non-resident fees, and a copy of the legislation that authorized the Commission to set the fees. Information on the impact of the increase was not known, nor the number of licenses sold, to say whether the State was losing revenues. The Department was willing to do a survey of the businesses who sell the licenses to find out the number of licenses sold and the amount collected after the first six months of the fiscal year.

Commissioner Jenkins asked, when can the consideration of license fees occur again and was Mr. Prejean recommending any action from the Commission? He said he also received a few phone calls and then suggested maybe considering a one-day trip license instead of the two-day trip. Mr. Prejean stated Commissioner Jenkins' suggestion would create a new license and he was not sure if the Commission had that authority. Mr. Don Puckett felt the Commission could not create a new license; however, the Commission could modify fees. Chairman Jones asked if it was known how much additional revenue was projected for the Enforcement Division and, if a reduction in the fees occurred, would there be an alternate source? Commissioner Jenkins asked, if Mississippi had a three-day trip license for \$8 with no stamp required, and Texas had a \$7 stamp, was the \$10 license needed also? Chairman Jones asked if, in Mississippi, do you have to have a freshwater fishing license in order to buy a saltwater fishing license? Mr. Prejean reminded the Commission that Louisiana recognizes the Texas resident license in Louisiana, but does not honor the non-resident issued license. Chairman Jones asked if there was a definitive line. Commissioner Schneider then requested input from the public. Chairman Jones opened the discussion for public comment.

Representative Joe Salter thanked the Commission for putting the item on the agenda and expressed a real concern on this. He then informed the Commission on the actions of the Legislature with the passing of Act 256 which changed the non-resident license fees. The problem in his district with Toledo Bend is that Texas' fees are \$10 and they are seeing people come in, ask what license fees are for both Texas and Louisiana, then drive over to Texas and buy a license there. He was concerned that these people will stay on

the Texas side and spend their money over in Texas and that will adversely affect Louisiana. Act 754 gave the authority of setting non-resident fees to the Commission. He then asked for some adjustment to be made and stated he understood about the budget situation but felt if no action was taken, it would be counter productive. Representative Salter asked the Commission to move as quickly as possible in order to provide some relief with the situation on the border lakes. Commissioner Jenkins asked Representative Salter if he had a recommendation. He suggested adopting the same fees as Texas has on their seven-day trip for freshwater licenses or go back to the \$15.50 fee. Commissioner Jenkins asked how long had he been in the legislature and if the Department did not have reciprocal agreements with other states.

Commissioner Schneider asked Mr. Don Puckett if the Department had a license that allowed a person to fish two days in saltwater and freshwater for \$23; if the fee could be changed if the Commission wanted to; what was the price for a non-resident freshwater trip license, a non-resident saltwater trip license and then a combination trip license? Commissioner Jenkins asked if the Commission could change the fees without it being announced on the agenda. Commissioner Mialjevich asked, if it would be changed at the next meeting, would there be a waiting period for it to become effective or could you do a Declaration of Emergency.

Mr. Clyde Kimball expressed his appreciation for concern to the business owners around Toledo Bend but asked the Commission to wait until all available information was obtained. Commissioner Jenkins stated that if the process was started next month, there would be a four month time frame involved. He then asked Mr. Kimball if that time frame would be sufficient; and if he had any idea on the impact of the license sales as of that day.

Ms. Linda Curtis-Sparks from the Sabine River Authority had figures that represented only Sabine Parish. Sabine, DeSoto and Vernon Parishes sell 23% of the out-of-state freshwater fishing licenses and of this 23%, Sabine Parish sells 17%, reports Ms. Curtis-Sparks. She also mentioned she had a petition from 100 business people asking the Commission to change the license fees which they felt were hurting Toledo Bend. One business on Toledo Bend, during the month of August 1992, sold 383 out-of-state fishing licenses; however, during August 1993, there were only 3 licenses sold. Clarification was needed that the Texas license would not be honored on both sides of the lake. Ms. Curtis-Sparks estimated a loss of about \$37,000 if the license was reduced to equal Texas' license fees. Commissioner Jenkins stated he did not know how much the budget would be impacted and then asked Mr. Prejean if any information was available. Ms. Curtis-Sparks stated the Authority could go back to Toledo Bend and inventory the marinas, convenience stores and sheriff's offices surrounding the lake for the three parishes. Chairman Jones thought the survey would be a good idea and then he reminded all that through the

license sales the State was allocated certain Federal funds. He stated the Commission would take into consideration the impact on Enforcement and thought a study of the whole scenario was needed. Mr. Prejean stated the Department would be happy to work with any groups to help research this dilemma.

Mr. Hugh Hyman representing Louisiana Travel Promotion Association informed the Commission that his Association met and a motion was passed that the rates should go back to the original fees until a study was made. The Association would work with the Department in the research to try to find a solution.

Mr. Randy Lanctot, Louisiana Wildlife Federation, began by explaining the process for raising money for the Enforcement Division. He stated that the Commission has the opportunity to set non-resident license fees and felt the legislature would amend the statute to allow the Commission to set the types of licenses that would be needed. But before the license fees are changed, Mr. Lanctot felt the State needed to know how to get the most money into the State for the benefit of the citizens by doing a study. He also felt the Commission should be involved in the study. Commissioner Mialjevich asked if there was a reason the legislation was limited only to recreational licenses, or did it include commercial? Commissioner Schneider asked Mr. Lanctot if his organization wanted to promote hunting and fishing in this state to out-of-state people and if his organization would help in getting the legislation through to promote these activities.

Commissioner Cormier asked Mr. Prejean, if the Commission decided to change the fees, and there was a reduction in the amount for Enforcement, would the cuts be just for Enforcement or would the reduction be equally divided between the divisions. Commissioner Jenkins asked, when the projections were made, were the same number of licenses sold used, and as of now, there is no information on how this has impacted the total number of licenses sold. Chairman Jones suggested moving on and try to find out what the impact would be. He also stated this should be monitored so the Commission could react accordingly. Commissioner Jenkins stated he wanted the item put on the agenda for the next meeting. Mr. Prejean noted he would conduct a survey and get some information that would be helpful.

The Ratification of the Menhaden Season was handled by Mr. Harry Blanchet. The rule changes the permanent closing date for the Menhaden Season to November 1 from "the Friday following the second Tuesday in October". Commissioner Jenkins asked about a statement that the menhaden industry had been overfished. Chairman Jones asked Mr. Blanchet read the Therefore Be It Resolved portion of the Resolution. Commissioner Mialjevich made a motion to accept the Resolution and was seconded by Commissioner Jenkins. The motion passed with no opposition. Commissioner Jenkins asked about a suggestion that the menhaden fishing caused the turtles dying in

purse seining; and if there is a large quantity of other fish caught.

(The full text of the Resolution and Rule is made a part of the record.)

## RESOLUTION

### MENHADEN SEASON

**WHEREAS,** menhaden are managed cooperative by Gulf States Marine Fisheries Commission, so as to facilitate complimentary management regimes for interjurisdictional fisheries along the Gulf Coast, and

**WHEREAS,** the Gulf States Marine Fisheries Commission unanimously recommended implementing a change in the season to run through November 1 of each year, and requested that each state enact this change, and

**WHEREAS,** maintaining a consistent season throughout the range of the fishery over the Gulf will assist in the goal of managing the stock as a unit over its range, and

**WHEREAS,** in recent years, effort in the fishery has declined, due to reduction in size of the fleet, inclement weather, and hurricanes, and

**WHEREAS,** scientists of the National Marine Fisheries Service have reviewed potential effects of season extension, and concluded that the current stock of menhaden in the Gulf is quite healthy, and will not be adversely affected by this change.

**THEREFORE BE IT RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does ratify this Rule amending the season for the taking of menhaden as well as the processing of menhaden from Louisiana waters.

**BE IT FURTHER RESOLVED,** that the complete contents of the Rule are attached to and made part of this resolution.

**BE IT FURTHER RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this rule.

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Bert H. Jones, Chairman

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Joe L. Herring, Secretary



**RULE**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

The Wildlife and Fisheries Commission does hereby amend, in accordance with the Administrative Procedure Act, the legal menhaden fishing season.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic Life**

**Chapter 3. Saltwater Sport and Commercial Fishing**

**§307. Menhaden Season**

A. The season for the taking of menhaden as well as processing of menhaden shall be from the third Monday in April through November 1.

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**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:313, 56:6(25)(a) and 56:326.3.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:329 (October 1979), amended LR 14:547 (August 1988), amended LR 19:58 (January 1993), amended LR (September 1993).

Bert H. Jones  
Chairman

A Discussion of the Mussel Plan was the next topic discussed by the Commission. Mr. Bennie Fontenot informed the Commission the permits for harvesting mussels were about to be issued. He stated, in order for the program to work, there was to be cooperation between the Inland Fisheries Division and Enforcement Division. A Senate Concurrent Resolution in 1990 created the Mussel Task Force to study a commercial season and to develop rules for the season. There has been a problem getting the program off the ground, but now with Mr. Dave Arnoldi in position to help, the program is ready to begin. Commissioner Vujnovich asked if anyone has applied for a permit. Mr. Fontenot advised that 8 residents and 1 non-resident have applied for a permit. Commissioner Schneider stated he has received calls in his area asking questions on how the program

could affect the rivers that go into Lake Pontchartrain. Chairman Jones asked who would be the buyers for these mussels; do the mussels have to be sold to someone in Louisiana and do they have to have a permit; and who are the buyers in Louisiana?

Commissioner Schneider asked what species of the mussel would the divers be after? Mr. Fontenot answered the Washboard, the Maple Leaf and Three Ridge. Commissioner Schneider then asked if there is a reef of the shells; do all of one species grow together? Chairman Jones asked how long do mussels live; how long before they begin to reproduce; and are there any Louisiana studies on mussels? Commissioner Jenkins asked if mussels can be overfished; do they reproduce to compensate for overfishing; how would overfishing be defined; and how would you know when to quit fishing? Commissioner Jenkins then quoted Dr. Malcolm Vidrine who stated that mussels could easily be overfished. Commissioner Cormier asked if there was data on the numbers of mussels in Louisiana. Secretary Herring asked Mr. Fontenot to explain how the legal size to be taken was a certain age and has had several years of reproduction. Commissioner Jenkins asked who was going to enforce the regulations on mussel fishing. Then, to Col. Vidrine, Commissioner Jenkins asked if his agents were trained to recognize the different mussel species.

Mr. Corky Perret stated that the names of those who would take the mussels would be known, the area they would take them would be known, and there was a size limit to protect the stock. He then stated there may be problems with enforcing the regulations. Commissioner Schneider stated he had a problem with "learning as we go" on a new industry. If you start a new industry, he felt the Department should know what they were talking about before it was started. He told Mr. Perret he wanted to know where the mussels are, to have someone checking the fishermen before they take the mussels, while they are taking the mussels and after they take them out. Commissioner Schneider stated he felt the Department was setting them up for another bad illegal industry which he based on past history. Commissioner Schneider read from a report by an expert that the mussels were very important to water quality and felt with no studies on how important they are, you do not know the effects. He commented he was scared of the program and did not have a good feeling. He further felt that there may be a lot of problems that will need to be solved. Commissioner Jenkins asked if the Department was going to check on these permits like they do for the aquaculture permits; and how will the Department know the fishermen has put the illegal sized mussels back properly to prevent them from dying? Commissioner Schneider asked, if you do not have any trained divers, how would you check the illegal mussels being replaced properly? Then he asked if there were any studies done on the effects to water quality with the removal of mussels; and if, as a biologist, would he like to know the answer to the question? Chairman Jones asked, how would someone know the difference between a mussel when they are diving in the blind?

Commissioner Jenkins read a portion of Dr. Vidrine's paper pertaining to the proper placement of the mussels and then asked how would the Department check on the temptation of not placing the mussels back properly? Chairman Jones asked where are the experienced mussel fishermen from and if there are any experienced fishermen in Louisiana? Commissioner Cormier asked what would be the economic impact for harvesters of the mussels. Commissioner Schneider asked how many pounds can a diver hand pick a day? Commissioner Mialjevich asked if anybody could get a permit and then stated that that would leave qualified divers right out of the discussion. Commissioner Jenkins asked if this program was like the Wild Louisiana Stamp, where the Commission and public comments were left out. Chairman Jones asked who handled the bill for the Department and if Mr. Fontenot was aware that the Commission was left out of the process. Commissioner Schneider asked what was the cost of the license and if there was a severance tax on the mussels?

Chairman Jones asked if all the areas open are state-owned water bottoms. Mr. Fontenot stated all areas below the saltwater line were closed and there is a recommendation to close Bayou Bartholomew in Morehouse Parish which has some endangered species in it. Commissioner Schneider asked if the Scenic Rivers were exempted or would they be dug up. He felt the program would cause damage to the stream bottoms and asked who would do the protecting of the resource. Commissioner Jenkins asked if there have been any violations or problems in other states; and would the Department give permits to those who have violations in other states? Commissioner Cormier asked if it was known how much this program would benefit Louisianians? Chairman Jones asked what was the number of applicants thus far? Mr. Arnoldi stated there were six residents that have been cleared by Enforcement; one resident and one non-resident that were still being checked. Commissioner Cormier asked if there were six applicants from the State of Louisiana. Commissioner Mialjevich asked if these applicants were to harvest or buy the mussels. Chairman Jones asked Mr. Fontenot how many permits would be issued; then he asked Secretary Herring the same question. Commissioner Schneider then asked how many would be too many permits. Secretary Herring told the Commission how the program would work with the permitting system and that information would be gathered from the permits. Commissioner Jenkins asked why did the mussel harvesting stop; what type information would be obtained from the permit process; would you still know how much was left if you only knew how many were taken; and what good would this information be to the Department? Chairman Jones asked who would monitor the program. Commissioner Vujnovich told about a friend who used to harvest and sell mussels but quit and stated he would call his friend and find out what happened. Commissioner Cormier asked if, in the future, there could be a study done in order to have control on how much of the resource is there and harvested. Commissioner Mialjevich asked who were the members of the Task Force, and requested a copy of the

minutes of the meetings and a copy of the book; and if there were public hearings on the rules? Commissioner Schneider stated he would not have put the item on the agenda if he had not received 30 calls from the public who are concerned about the water quality.

Chairman Jones stated he wanted someone to teach him how to do this process and how one would know not to touch a Heelsplitter or Louisiana Pearlshell. Then he asked what constituted a mussel being "intentionally disturbed". Commissioner Jenkins asked if the Department anticipated a lot of pounds of mussels taken the first year since the State does not have a severance tax on the mussels this first year, could there be a possibility of the bulk taken; should the Department wait until the tax was in place in order to benefit the State. Commissioner Cormier asked if there would be a limit on the number of permits issued the first year.

Chairman Jones asked who stimulated the interest in this program and was there legal take prior to this program. Commissioner Jenkins asked if there was a law on the books on mussels, what did the Concurrent Resolution have to do with it and did the Concurrent Resolution form the Task Force? Then Commissioner Jenkins made a motion which stated, the Commission through the Department and its representatives in the legislature go back and amend the law to include the Commission be involved in the process. Commissioner Schneider seconded the motion. There being no further discussion, Chairman Jones called for the vote. The motion passed with no opposition. Mr. Fontenot informed the Commission he had a VCR tape on mussels and programs in Tennessee. Chairman Jones asked if copies of the tape could be made for all the Commission members.

A Notice of Intent on the Commercial Fisherman's Sales Report Form was handled by Mr. Joey Shepard. Mr. Shepard reminded the members that a Declaration of Emergency was passed at the August meeting to postpone the implementation date of the Commercial Fisherman's Sales Report Form. The Notice of Intent was to get the rule making process started. Chairman Jones asked Mr. Shepard read the Therefore Be It Resolved portion of the Resolution and the Notice of Intent. Commissioner Jenkins asked if the reason for this action was because of no money. Commissioner Cormier made a motion to accept the Resolution and Notice of Intent and was seconded by Commissioner Vujnovich. The motion passed unanimously.

(The full text of the Resolution and Notice of Intent is made a part of the record.)

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
Commercial Fisherman's Sales Report Form

**WHEREAS,** Louisiana Revised Statute 56:345(B) requires the Louisiana Wildlife and Fisheries Commission to establish a Commercial Fisherman's Report Form to be used by commercial fishermen to report in detail the quantity of each kind of fish sold to anyone other than a resident wholesale/retail dealer, and

**WHEREAS,** the Louisiana Wildlife and Fisheries Commission has established through LAC Part VII, Chapter 2, 76:203(D) a starting date of July 1, 1992 for full implementation of the Commercial Fisherman's Report Form, and

**WHEREAS,** the Department of Wildlife and Fisheries has not yet been provided sufficient funding to implement the program for fiscal year 1993-94.

**THEREFORE BE IT RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the full implementation date of the Commercial Fisherman's Sales Report Forms from July 1, 1992 to January 1, 1995. The Notice of Intent attached to and made a part of this resolution is hereby approved.

**BE IT FURTHER RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

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Bert H. Jones, Chairman  
Louisiana Wildlife & Fisheries  
Commission

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Joe L. Herring, Secretary  
Louisiana Department of Wildlife  
& Fisheries

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby expresses its intent to amend the full implementation date of the Commercial Fisherman's Sales Report Form from July 1, 1992 to January 1, 1995.

Title 76

WILDLIFE AND FISHERIES

## **Part VII. Fish and Other Aquatic Life**

### **Chapter 2. General Provisions**

#### **§203. Commercial Fisherman's Sales Report Form**

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D. The effective date of this Section is January 1, 1995.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:345(B).

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:82 (January 1992), repromulgated LR 18:198 (February 1992), Amended LR .

Interested persons may submit written comments on the proposed amendment to the following address before November 1, 1993: Joseph Shepard, Programs Manager, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Bert H. Jones  
Chairman

A Notice of Intent on the Dealer Receipt Form was presented also by Mr. Joey Shepard. Mr. Shepard read the Therefore Be It Resolved portion of the Resolution and Notice of Intent as requested by Chairman Jones. Commissioner Vujnovich made a motion to accept the Resolution and Notice of Intent and was seconded by Commissioner Cormier. The motion passed with no opposition.

(The full text of the  
Resolution and Notice of Intent  
is made a part of the record.)

#### **RESOLUTION LOUISIANA WILDLIFE AND FISHERIES COMMISSION Dealer Receipt Form**

- WHEREAS,** Louisiana Revised Statute 56:303.7(B) requires the Louisiana Wildlife and Fisheries Commission to establish a Dealer Receipt Form to be used by wholesale/retail dealers who purchase fish from commercial fishermen, and
- WHEREAS,** the Louisiana Wildlife and Fisheries Commission has established through LAC Part VII, Chapter 2, 76:201(F) a starting date of July 1, 1992 for full implementation of the Dealer Receipt Form, and
- WHEREAS,** House Concurrent Resolution No. 42 of the 1992 Louisiana Regular Session did suspend until 60 days after the 1993

Regular Session the implementation of the provisions of R.S. 56:303.7(B), relative to the receipt form due to budgetary constraints of the Department of Wildlife and Fisheries, and

**WHEREAS,** the Department of Wildlife and Fisheries has not yet been provided sufficient funding to implement the program for fiscal year 1993-94.

**THEREFORE BE IT RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the full implementation date of the Dealer Receipt Forms from July 1, 1992 to January 1, 1995. The Notice of Intent attached to and made a part of this resolution is hereby approved.

**BE IT FURTHER RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

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Bert H. Jones, Chairman  
Louisiana Wildlife & Fisheries  
Commission

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Joe L. Herring, Secretary  
Louisiana Department of Wildlife  
& Fisheries

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby expresses its intent to amend the full implementation date of the Dealer Receipt Form from July 1, 1992 to January 1, 1995.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 2. General Provisions

#### §201. Commercial Fisherman's Sales Card; Dealer Receipt Form

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F. Effective date of Subsections A and B of this Section is upon publication in the Louisiana State Register. Effective date for Subsections C, D and E of this Section will be January 1, 1995.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.7.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:81 (January 1992), repromulgated LR 18:198 (February 1992), Amended LR .

Interested persons may submit written comments on the proposed amendment to the following address before November 1, 1993: Joseph Shepard, Programs Manager, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Bert H. Jones  
Chairman

The next item discussed for informational purposes only was on **Shrimp Sanctuaries**. Mr. Brandt Savoie provided the members with an update on work done on shrimp sanctuaries. He requested input from the Commission on the goals or needs that the Department could build on. He then explained the need for sanctuaries, which was to help alleviate the steady decrease in the size of shrimp, and commented on a few reasons for the steady decrease. The goal for sanctuaries was to reduce fishing pressure on the small shrimp. Methods to achieve the goals, benefits and negative impacts were also explained by Mr. Savoie. He also stated that the Department was trying to get shrimp sanctuaries to follow along the same line as the goals and objectives of the shrimp management plan. The Shrimp Task Force activities and future plans were discussed, as well as the work being conducted by the Marine Fisheries Division.

Commissioner Jenkins asked if the idea of sanctuaries was proposed in the shrimp plan and were the goals and objectives as mentioned at the meeting the same as those from 20 years ago? Mr. Corky Perret stated that for any sanctuary to work, the Marine Fisheries Division needs to work closely with Enforcement. Commissioner Jenkins then told Mr. Perret in the Goal for Sanctuaries the Department should add, "also to reduce possible damages to other marine life and the habitat". Chairman Jones asked if the shrimpers in the shallow waters and marsh areas had an impact on coastal erosion; are the same lines still in effect and if Mr. Perret's thinking on these changed; if there was a copy of the lines available; if he thought sanctuaries would be impossible in inshore waters because of enforcement; if the proposed sanctuaries from 20 years ago would be the same proposed today; and would they help the shrimping industry? Commissioner Vujnovich told Mr. Perret of incidents that have occurred while he was fishing for oysters and stated the sweepers were destroying the water bottoms and asked that it be checked. Chairman Jones asked Commissioner Vujnovich if, as an experienced fishermen, he knew the



sweepers were having an impact. Commissioner Vujnovich has heard from fishermen that use the sweepers that if the Department could see what was being done to the small fish, they would think again about allowing the use of the sweepers. Mr. Perret stated the overall production has been increasing since the 1960's, and by-catch work was continuing. Commissioner Vujnovich stated to Mr. Perret that production was not as high years ago as it is today because of limited sales.

Chairman Jones asked when would shrimp sanctuaries be established; felt and has heard there was a real need for shrimp sanctuaries; why has the Department not done anything yet; and does the Commission have the authority to set sanctuaries now. Then he requested Mr. Savoie come back next month with the Department's proposed areas for shrimp sanctuaries. Then he asked how much conversation has there been on sanctuaries at the Shrimp Task Force Meetings. Commissioner Jenkins stated, from what he has been told over the last year, he felt the Shrimp Task Force was not vitally interested and thought it would be if someone brought it to their attention. Then he stated that he thought the Department and Commission would receive public input if the Commission said they wanted sanctuaries and that they wanted them in a certain way.

Commissioner Mialjevich felt it was more than shrimp sanctuaries, he felt there would be a better plan if the majority of the people voted for a certain area and drawing a line from the majorities input. He stated shrimpers had nothing against sanctuaries, that they did not want to catch shrimp they could not sell and were not out to destroy themselves. In his opinion, Commissioner Mialjevich advised to take a slower approach. Commissioner Jenkins stated he had one problem with what Commissioner Mialjevich said and that was this same discussion was done last year and asked how do you urge these people to hurry up and do it? Commissioner Mialjevich felt you could not urge these people. Chairman Jones suggested the Commission work to lead these people forward and wanted to see what the Department's recommendation would be and then receive input from the shrimper. Mr. Perret said sanctuaries are only one solution to the shrimp being small, there are a lot of others, to which Chairman Jones wanted to know what they were. Mr. John Roussel reminded the Commission that there are negative points to sanctuaries and this should be considered. Chairman Jones asked Mr. Roussel if he thought sanctuaries were for the positive or negative side. Commissioner Jenkins asked, with the conflict of interest in the different user-groups, could there be a diverse group of people to discuss this and come up with a solution. Commissioner Vujnovich felt there was better than a 50% chance of finding a solution to protect the industry for the future. Chairman Jones asked if there was a traditional fishery? Commissioner Jenkins asked if the catch per unit effort has increased also and, if it has not, then there was a lot more effort.

Commissioner Cormier agreed with Commissioner Mialjevich in that the Commission can keep abreast of the Task Force's actions and if they fail then the Commission can take action. Chairman Jones asked if the Department would have to give the Task Force their recommendations on shrimp sanctuaries and requested seeing the Department's proposal. He felt the Department nor the Commission should be user-driven, but should be resource biology driven. Commissioner Cormier asked if the groups are the actual fishermen themselves and if they take the advice from the biologists and then determine if they want to adhere to it. Chairman Jones stated he wanted the Commission to give the user-groups what the Department wants to give them. Secretary Herring stated this subject has been around and discussed for over 50 years.

Commissioner Mialjevich stated not only should everyone look at the environmental aspect to protect the shrimp, but you have to look at the devices used to harvest the shrimp. One of his goals was to work better with the Coast Guard and to help the Enforcement Division. He felt the cooperation of the fisherman was needed and the Commission should not get them angry from the start. Commissioner Mialjevich thought the Commission should follow the Shrimp Task Force closely. Mr. Perret asked Mr. Savoie if the Shrimp Task Force has endorsed shrimp sanctuaries and the Department was showing them areas. Commissioner Jenkins stated maybe the Commission should consider sanctuaries other than for shrimp reasons. Then he requested an item for the next meeting which followed the idea of recommendations on sanctuaries for habitat purposes. Mr. Savoie stated what was being presented at the meeting was how the Department and the Task Force wanted to protect the juvenile shrimp. Then Commissioner Jenkins asked why was there a need for shrimp sanctuaries.

Chairman Jones asked, if shrimp sanctuaries was not the way to protect the shrimp, the marsh and the juvenile finfish, what would the Department say needs to be done? Commissioner Vujnovich stated, with two freshwater diversions that began in January plus the flooding in the Mississippi River, his area has never looked as beautiful and the estuaries will change the marsh and felt the effects of the two new diversions should be watched very closely. Commissioner Mialjevich asked if larger webbing would do the same as sanctuaries; if the people using the skimmer nets were full time commercial fishermen; and what was the survival rate of shrimp that passed through webbing? Going on, he asked if the negative impacts to juvenile shrimp populations would be the same if there was an increase in adult crabs and finfish populations; then he suggested looking at the possible side effects. Commissioner Mialjevich asked if sanctuaries are the only management tool that would be looked at. Chairman Jones stated he felt like he was a shore bird and suggested someone needed to jump in and make a decision; then asked when was the next Task Force meeting; who sets the meeting;

what was the average number of people that attend the Task Force meetings; and, if there has been a quorum at the meetings?

Commissioner Mialjevich asked Mr. Hugh Bateman and Commissioner Schneider what did he say that upset them when he was talking about the hunting people not leaving a job to attend a meeting. Chairman Jones requested the LSU staff and the Department's staff come up with a recommendation that would be given to the Task Force and present it at the next meeting. Mr. Savoie requested the Commission give a statement of what the goal should be and noted he added the suggestion from Commissioner Jenkins which would prevent possible damage to other marine life and habitat. Chairman Jones restated that next month the Department would present their recommendations for shrimp sanctuaries and asked that the Department not be user-driven.

**Civil Restitution and Class 1 Update** computer printouts were provided by Ms. Wynnette Kees to the Commission members. Chairman Jones asked if there was a major increase in the Civil Restitutions this month. Ms. Kees stated there was an increase over July's figures which could be due to Operation Gold Key and possibly due to the beginning of shrimp season. She gave a summary of the citations and possible civil restitutions from Enforcement's Operation Gold Key and hoped to give a complete list at the next Commission meeting. Commissioner Mialjevich asked what type of fine would be a \$13,000 fine and how does the "Credit for Goods Sold" work. Ms. Kees informed Chairman Jones that one of the violators in Operation Gold Key was the same as the person involved in the Redfish case he had been following.

The Monthly Law Enforcement Report for August was given by Lt. Col. Charlie Clark. The following numbers of citations were issued during the month of August. Commissioner Mialjevich asked for the next report to include the location of where each of these region offices are.

Region I - Minden - 34 citations.

Region II - Monroe - 44 citations.

Region III - Alexandria - 189 citations.

Region IV - Ferriday - 28 citations.

Region V - Lake Charles - 159 citations.

Region VI - Opelousas - 145 citations.

Region VII - Baton Rouge - 209 citations.

Region VIII - New Orleans - 386 citations.

Region IX - Thibodaux - 104 citations.

Oyster Strike Force - 56 citations. Commissioner Mialjevich asked where did the seven pounds of shrimp come from.

Statewide Strike Force - 112 citations. Commissioner Mialjevich asked about the violation for Aggravated Battery and Attempted Murder. Then he asked what was the approximate cost to run the offshore boats 220 hours.

Offshore Boats (SWEP) - 38 citations.

The grand total of citations issued statewide for the month of August was 1,504.

Commissioner Jenkins asked how many agents worked in Region IV; if the total cases for the month was below the normal; then suggested the agents be moved and used in another area.

The Secretary's Report to the Commission was the next item given by Secretary Herring. He began by saying the Marsh Maneuvers on State Wildlife Refuge was attended by 25 4-H students. Staff from Senator John Breaux's office and Mr. Greg Crosby from Washington, DC visited with the students.

Two employees from the Department spent some time in Canada. Mr. Robert Helm visited the breeding grounds and helped with the color collaring of geese in order to understand the migrating of the geese. Mr. Scott Durham spent his time in Canada helping with the duck banding project.

The Districts throughout the State have been involved with wood duck trapping and banding with the Fish and Wildlife Service. The goal for this year was 1200 wood ducks and anticipated exceeding that goal.

Three boat ramps had been completed in the Opelousas District; a water control structure on Grassy Lake Wildlife Management Area; and two fishing piers on Spring Bayou Wildlife Management Area.

The alligator research program removed 400 alligators from Salvador Wildlife Management Area and 850 from Marsh Island; 14,946 skins were shipped out-of-state and 10,538 tags were issued to alligator farmers. The brown pelican survey showed they were doing well with an above average figure from previous years. Rockefeller Refuge hosted the International Association of Fish and Wildlife Agencies, Fur Resource Technical Committee meeting.

The Fisheries people had checked several die-offs and found none to be pesticide related but were dissolved oxygen problems.

The Oil Spill Task Force has been meeting since their Green Hill spill and are about to finalize the results of that spill.

Channel markers on Lake Bistineau were completed through some federal money found by Senator Campbell.

Clean-up in the Atchafalaya Basin after Hurricane Andrew continued during the month.

Approximately 2,206 subscriptions transactions to the Louisiana Conservationist occurred during the month which included 1,873 renewals and 333 new subscriptions. Twenty-five news releases and five feature stories were put out by the Information and Education Section. There were about 582 visitors to the Library to pick up maps and etc. Hunter Education held 57 classes and certified 1,950 students. Bow Hunter Education had 9 classes with 450 students; Project WILD had 4 courses with 123 students.

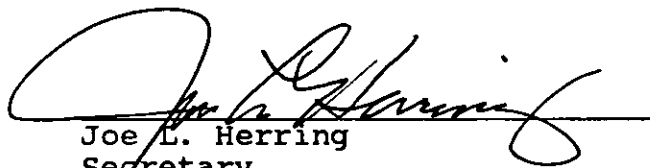
The staff was working together throughout the State preparing for National Hunting and Fishing Day which would be held September 25, 1993.

Commissioner Cormier asked who was doing the clean-up work in the Basin area. Commissioner Mialjevich expressed he was amazed at the number of people who visited the Library and asked if they knew how many were young people or parents, etc.

Commissioner Mialjevich made a motion the **December 1993 Meeting Date** be scheduled for Thursday, December 2, 1993 in the Baton Rouge office, beginning at 10:00 a.m. and was seconded by Commissioner Vujnovich. The motion passed with Commissioner Jenkins opposing.

Chairman Jones then called for **Public Comments** and heard none.

There being no further business, Commissioner Jenkins made a motion to **Adjourn** the meeting and was seconded by Commissioner Cormier.

  
Joe L. Herring  
Secretary

JLH:sch

Draft

MINUTES OF THE MEETING  
OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, September 2, 1993

Chairman Bert H. Jones presiding.

James H. Jenkins, Jr.  
Peter Vujnovich  
Jeff Schneider  
Joseph B. Cormier  
Tee John Mialjevich

Commissioner Perry Gisclair was absent from the meeting.

Secretary Joe L. Herring was also present.

Chairman Jones called for a motion for approval of the **August 5, 1993, Commission Minutes**. A motion for approval was made by Commissioner Vujnovich and seconded by Commissioner Schneider. The motion passed unanimously.

6 A **Report on Cormorants in the State** was given by Mr. Arthur Williams. Mr. Williams began by stating there was a lot of information and misinformation on cormorants going around. The cormorant population has increased over the last 10 years and the migration through the Mississippi Valley may also be increasing each year. The cormorant is benefitting from man's activities; they adapt well to changes and are attracted to concentrated food sources. Mr. Williams surveyed the fisheries biologists in the State and the range of population for the cormorants has gone from no change since 1980 to triple the population.

15 Texas did a study on the food habits of the cormorants and found that they eat heavily on shad. The size fish taken are mainly less than six inches in length. The weight of the fish taken are approximately one-half a pound.

Mr. Williams felt the development of a behavioral-based control strategy would be necessary and an assessment of the damages the cormorant is doing. 1/20

Commissioner Jenkins asked how old was the study from Texas and when was it finished? He stated they were everywhere and after talking with fish farmers, he noted they were really concerned about the bird. Then he asked if they ate saltwater fish, when does this type of animal become a pest and what can be done about the bird? Commissioner Jenkins also noted there was not a lot of information on the bird to which Mr. Williams stated information was being gathered now. Commissioner Jenkins asked if the Replied

cormorants ate crawfish? Commissioner Schneider asked what action did Oklahoma and Arkansas take? Commissioner Jenkins asked if the cormorant was a Federally managed bird and what did the legislation from Oklahoma and Arkansas mean? He then stated he was glad information was being obtained and felt it was really needed. Commissioner Vujnovich stated he enjoyed watching the cormorants catching ~~the~~ catfish.

Commissioner Jenkins asked when would information from the study be available? Chairman Jones asked who made up the Louisiana Aquaculture Association? He felt the Department should present the Association with information on implementing a management plan for ~~the~~ cormorants. Commissioner Jenkins noted there was no decrease in the population; felt contact should be made with commercial and recreational fishermen as well as the business groups; requested a time table for information on the bird; and ~~a target date for~~ <sup>requested</sup> "strategy". Chairman Jones asked what method was used to keep them ~~off the hatcheries?~~ <sup>the U.S.</sup> Commissioner Jenkins mentioned a permit could be obtained from Fish and Wildlife Service to shoot them. Then he requested Mr. Williams to come back at the November Commission Meeting and tell what would be done and when it would be done. Chairman Jones asked how much does a cormorant weigh?

<sup>is</sup> An Update on Hypoxic Area off Louisiana Coast was requested by Commissioner Mialjevich. He had received a number of calls from fishermen reporting no shrimp in his area and ~~there were~~ "dead areas". Also there were reports of dead areas around the Chandeleur Islands. Mr. Jim Hanifen of the Marine Fisheries Division began by defining what a hypoxic area was and explaining why it occurred. The hypoxic area for the Gulf coast in 1993 covered approximately 5,000 square miles. The areas east of the Mississippi River are caused by an increase or decrease in phytoplankton populations that ~~was~~ driven by weather. The area is so large this year because of the enormous amount of discharge from the Mississippi River. The time frame for these conditions to exist in the Gulf is after the last cold front in the spring until the first cold front during the fall passes. The hypoxic area can move inshore and offshore on a daily basis. In late July, the hypoxic area extended from the Mississippi River over to the Calcasieu River and extends offshore from 30 miles at the Fourchon area to 70 miles in the western part of the State. The fisheries affected by this condition are ~~to~~ those which stay on or near the bottom; organisms will move away from a hypoxic area, however a fish kill can occur. Once the area has disappeared, the animals will recolonize very quickly.

Commissioner Schneider asked if the hypoxic areas were related to pollution or just freshwater. Commissioner Jenkins asked if fish would migrate across the areas into good areas. Commissioner Mialjevich asked if the shrimp could migrate over an area to come inshore; if the area where shrimp normally is has migrated to another area; and when were these areas first measured? Chairman Jones inquired as to whether the channelization of the Mississippi

River was a cause to these conditions occurring. Mr. Corky Perret asked Mr. Hanifen if there was any biological data to show what the catch would be in the low oxygen area.

The **July Aircraft Report** was presented by Mr. Lee Caubarreaux. This report showed four pilots flew a total of 69.5 hours for the month. A listing of the hours of each plane flown was stated as well as the estimated cost and actual cost. Commissioner Jenkins asked about the corrected cost for the planes. Chairman Jones corrected Mr. Caubarreaux in that the report was for July and not August. Commissioner Jenkins wondered why the Float-MW had less than 2 hours flying time and if the plane was down for maintenance; and did the Department use the Aero-Commander during the month? Chairman Jones indirectly asked about the aquatic weed problem on Caney Lake as a result of the flights over Caney Lake and if there would be any grass carp put into Caney Lake? Commissioner Vujnovich asked Chief Pilot Gene Rackle how the oyster surveying flights were going and if the Department was going to make any money from it? Commissioner Mialjevich noted the Enforcement plane only flew four times for enforcement and asked if there were other planes that flew for Enforcement, and then asked if the big boat was out checking to the west also?

**Declaration of Emergency on the 1993-94 Duck, Goose and Coot Hunting Season Dates** was given by Mr. Robert Helm. He reminded the Commission the tentative dates for these seasons were presented and adopted at the August Commission Meeting and a final ratification was needed at the meeting. Mr. Helm then read the dates for the record. He noted he has received mostly good comments from the public. Mr. Helm read the Therefore Be It Resolved portion of the Resolution. Commissioner Jenkins made a motion to adopt the Resolution which included the Declaration of Emergency. Commissioner Vujnovich seconded the motion. The motion passed with no opposition. Chairman Jones asked if there were any new duck reports, and then reported the ducks were staging in the north.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
September 2, 1993

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA, September 2, 1993.



**WHEREAS,** public hearings in Washington, D.C. have been held on late season migratory birds that include ducks, geese and coots, and

**WHEREAS,** the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

**WHEREAS,** rules and regulations governing migratory bird season frameworks have been developed by the U.S. Fish and Wildlife Service, and

**WHEREAS,** the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for ducks, geese and coots that include season dates, bag limits, and shooting hours, and

**WHEREAS,** it is the statutory responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for these migratory species within constraints established by the U.S. Fish and Wildlife Service framework, and

**WHEREAS,** tentative dates, bag limits and shooting hours were adopted at the August Commission meeting, now

**THEREFORE BE IT RESOLVED,** that on this date, the Louisiana Wildlife and Fisheries Commission does hereby adopt the attached season dates, bag limits and shooting hours by Declaration of Emergency, and

**BE IT FURTHER RESOLVED,** that this Declaration of Emergency shall be in effect beginning November 13, 1993 and extends through sunset February 20, 1994, and

**BE IT FURTHER RESOLVED,** that these dates will be forwarded to the U.S. Fish and Wildlife Service as regulations for Louisiana's 1993-94 Migratory Bird Hunting Seasons.

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Bert H. Jones, Chairman  
Louisiana Wildlife & Fisheries  
Commission

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Joe L. Herring, Secretary  
Louisiana Department of Wildlife  
& Fisheries

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, and under authority of R.S. 56:115, the Secretary of the Department of Wildlife and Fisheries

and the Wildlife and Fisheries Commission hereby adopts the following Emergency Rule:

The hunting seasons for ducks, coots and geese during the 1993-94 hunting season shall be as follows:

Ducks and Coots (Closed Season on Canvasbacks)

West Zone: 30 days

November 13 (Saturday) - November 28 (Sunday)	16 days
December 27 (Monday) - January 9 (Sunday)	14 days

East Zone: 30 days

November 20 (Saturday) - November 28 (Sunday)	9 days
December 27 (Monday) - January 16 (Sunday)	21 days

Catahoula Lake: 30 days

November 20 (Saturday) - November 28 (Sunday)	9 days
December 13 (Monday) - January 2 (Sunday)	21 days

Shooting Hours: One-half hour before sunrise to sunset.

Daily Bag Limit: The daily bag limit on ducks is 3 and may include no more than 2 mallards (no more than 1 of which may be a female), 1 black duck, 2 wood ducks, 1 pintail and 1 redhead. Daily bag limit on coots is 15.

Mergansers: The daily bag limit for mergansers is 5, only 1 of which may be a hooded merganser. Merganser limits are in addition to the daily bag limit for ducks.

Possession Limit: The possession limit on ducks, coots and mergansers is twice the daily bag limit.

Geese: (Statewide Season)

November 13 (Saturday) - December 5 (Sunday)	23 days
December 18 (Saturday) - February 2 (Wednesday)	47 days
February 3 (Thursday) - February 12 (Saturday)	10 days

Daily Bag Limit: Daily bag limit is 7 in the aggregate of blue, snow and white-fronted geese of which not more than 2 may be white-fronted (specklebellies). During the last 10 days (February 3-12), only blue and snow geese may be taken. During the Canada Goose Season (January 19-27) the daily bag limit for Canada geese and white-fronted geese is 2, of which not more than 1 can be a Canada goose. Possession limit is twice the daily bag limit.

Canada Goose Season: January 19-27

A goose season will be open in a portion of southwest Louisiana. The area shall be described as follows:

Easterly from the Texas line along Highway 12 to Ragley; then easterly along U.S. 190 from Ragley to its junction with I-49 near Opelousas; then south along I-49 to its junction with Highway 167 near Lafayette; then south along Highway 167 from Lafayette to its junction with Highway 82 at Abbeville; then south and west along Highway 82 to the Intracoastal Waterway at Forked Island; then westerly along the Intracoastal Waterway from Forked Island to the junction of the Intracoastal Waterway and the Calcasieu Ship Channel; then south along the west side of the Calcasieu Ship Channel to Highway 82 at Cameron; then westerly along Highway 82 to the Texas line. All lands lying within these boundaries shall be open for the experimental Canada goose season except all open waters of Lake Arthur and the Mermentau River from the Highway 14 bridge southward.

OR — A special permit shall be required to participate in the Canada Goose Season. A permit is required of everyone, regardless of age, and a non-refundable \$5.00 administrative fee will be charged. This permit may be obtained from the Lake Charles, Opelousas and Baton Rouge offices.

Return of harvest information requested on permit is mandatory. Failure to submit this information by February 14, 1994 will result in the hunter not being allowed to participate in the Canada Goose Season the following year.

A Declaration of Emergency is necessary because the U.S. Fish and Wildlife Service establishes the framework for all migratory species. In order for Louisiana to provide hunting opportunities to the 200,000 sportsmen, selection of season dates, bag limits, and shooting hours must be established and presented to the U.S. Fish and Wildlife Service immediately.

The aforementioned season dates, bag limits and shooting hours will become effective on November 13, 1993 and extend through sunset on February 20, 1994.

Bert H. Jones  
Chairman

Policy for Administration of Wild Louisiana Stamp Program was the next item presented by Mr. Gary Lester. Mr. Lester informed the Commission this was not a rule for their action, that the Legislature gave the authority to develop the rules for the Program to the Secretary. Act 193 of the 1992 Legislative Session established the Wild Louisiana Stamp Program and the cost for a stamp is \$5.50. Act 441 of the 1993 Legislative Session gave the Secretary the authority to develop a \$2.00 stamp for a single day. The \$2.00 stamps should be available by the end of October. Chairman Jones asked if the black bear would be used on the \$2.00 stamp and why are those over 60 years of age continually excluded

from buying licenses or require ~~them~~ <sup>d</sup> to buy a license at a reduced rate. Mr. Tommy Prickett advised the Commission of legislation that has been introduced during the past sessions and ~~have~~ <sup>has</sup> failed. The Commission members encouraged the Department to continue with the legislation.

Going on, Mr. <sup>use</sup> Lester explained the regulations for commercial and non-commercial. Some exemptions for the stamp would be those individuals under 16 and over 60 years of age; those individuals crossing WMA's or refuges just to get a non-Department administered land; an employee of a governmental agency if performing their day to day activities and being paid for it ~~and~~ <sup>to</sup> persons who perform such activities as field trials or other special events can either buy the stamp or pay a flat rate of \$50 for that particular event. With regard to the commercial aspect of the Program, exemptions would be given to those who are involved with commercial activities provided the guide or operator pays a fee of \$1,000 for the year. Another option for the guides or operators would be to require their guests to obtain a license or stamp. During June of each year, all guides or operators are required to submit a report of the number of people that toured the Department's facilities during that year. Chairman Jones asked if there has been any monitoring going on since June and how ~~they~~ <sup>use</sup> were going on.

Commissioner Jenkins asked, if the commercial operators does not pay the \$1,000, can he require each customer to buy a stamp or having a license? does an operator have the right to prohibit a person that does not have a stamp from coming on his boat? and can a charter boat captain require a fishermen to buy a fishing license? Commissioner Mialjevich asked where did the \$1,000 fee come from since it did not appear in either Act? did the Commission vote on this and do they have to vote on it? would the expenses for the stamp, the printing and distributing come from the Natural Heritage Account? and would the Program be self-sustaining? Commissioner Jenkins stated the Act gave the Secretary the authority to develop the regulations and as such there would be no public input, then asked if the current charges ~~was~~ <sup>were</sup> part of the rule making process? He felt it wrong there would not be an opportunity for the public to comment on the rules for the Program and asked how did the Department testify on a bill that excluded public comment? Mr. Hugh Bateman and Secretary Herring explained who set up the Program and how it was to be done. Commissioner Jenkins asked if the operators that would be charged \$1,000 were happy with these regulations <sup>added</sup> and that, in the future, if there is legislation that excludes the public's input through the Commission process ~~was~~ <sup>added</sup> to let the Commission know and they can decide whether to support it or try to have it changed. Chairman Jones asked who wrote the legislation; did it pass as originally written; and was there a reason or a purpose for leaving the Commission out? He then asked Mr. Lester if he would be in favor of amending the legislation to provide for public input and reestablish the Commission to have some authority?

Mr. Randy Lanctot, Louisiana Wildlife Federation, stated this process was the result of concern expressed after the initial legislation was passed to address day use of the WMA's. He agreed that some type of public input would be advisable on this Program. Chairman Jones asked Mr. Lanctot if there was a reason for leaving the Commission out of the legislation. Mr. Lanctot stated that in Title 56 there are regulations that do and do not include the Commission. He felt the Secretary's authority was sufficient but again stressed some public input was advisable. Chairman Jones again expressed concern over the fact there would be no public input.

Commissioner Jenkins asked who put the item on the agenda; if the Commission was excluded from the process, why have it on the agenda; and if the Commission wanted to change something, could they change it? Mr. Clyde Kimball reassured the Commission there was never any intention to leave the Commission out of the process. Secretary Herring stated he felt with this being a new program, there would certainly be problems that would have to be corrected. Commissioner Jenkins made a motion that the Commission adopt a Resolution asking "the Secretary in the Department and all the appropriate people to include the Commission in the process on this bill at the earliest time they can". Commissioner Mialjevich seconded the motion. The motion passed unanimously. Chairman Jones assured Mr. Lester the Commission was behind him but wanted to help also.

Chairman Jones recognized Mrs. Sharyn Bateman, a former employee of the Department who was in the audience.

147 A Notice of Intent to **Change the Alligator Rules to Comply with Statute Changes** was given by Mr. Johnnie Tarver. Mr. Tarver reminded the Commission of Act 294 of the 1993 Legislative Session changed the statutes dealing with payment of alligator tags and label fees. The major change is instead of the farmer or the hunter pay the fee up front, the dealer will pay the tag fee when shipping out-of-state. The industry strongly supports this change and they pushed the Department on this legislation. Commissioner Schneider asked if the change would have any effect on the enforcement capabilities, and if this was just a change in method of payment? Commissioner Jenkins asked if the changes were in the 33 pages of rules they were looking at; if the changes were the ones underlined and struck out; do all the changes pertain to just the tags and the flaps; and the adding in of the taxidermists to the rules and if the taxidermist was to collect the fees? Then Commissioner Jenkins stated he was not familiar with the document and the changes and asked if this was the first time ~~to~~ see the document? Mr. Tarver advised Commissioner Jenkins that this was just a Notice of Intent and public comments would be accepted ~~if~~ if the Commission wanted to make any changes. Commissioner Schneider asked if this year's season would be handled under the old rules. Commissioner Jenkins asked if it involved enforcement policies ~~that~~ that

*estimated the commission has*

any other sections of the Department would be dealing with alligators. Chairman Jones asked Mr. Tarver to read the Notice of Intent. He then asked the Commission's pleasure on the Notice of Intent. Commissioner Cormier made a motion to accept the Notice of Intent and was seconded by Commissioner Mialjevich. Commissioner Cormier asked if there should be 120 days before the rule was finalized and then stated a meeting should be held with Enforcement to make sure the new regulations are enforceable. The motion passed with Commissioner Jenkins abstaining.

(The full text of the Notice of Intent is made a part of the record.)

#### NOTICE OF INTENT

##### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the alligator regulations which govern the wild and farm alligator harvest. The alligator industry of Louisiana represents a renewable resource, valuable to the economy providing income to approximately 110 alligator farmers and in excess of 1,900 alligator hunters. The alligator farming program and the annual harvest of surplus wild and nuisance alligators is in keeping with wise wildlife management techniques based upon scientific research conducted by the Department of Wildlife and Fisheries.

The Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

The regulations governing the alligator harvest program and the alligator farming program may be viewed at the Wildlife and Fisheries Headquarters, 2000 Quail Drive, Baton Rouge, LA, phone (504) 765-2812.

Interested persons may submit written comments on the proposed regulations to Mr. James Manning, Fur and Refuge Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA, 70898-9000 no later than 4:30 p.m. Tuesday, November 2, 1993.

Bert H. Jones  
Chairman

## **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part V. Wild Quadrupeds and Wild Birds**

#### **Chapter 7. Alligators**

#### **§701. Alligator Regulations**

\* \* \*

##### **C. General Rules.**

\* \* \*

12. There is levied a severance tax of twenty-five cents on each alligator hide taken from within the state, payable to the state through the Department by the alligator hunter or alligator farmer shipping or taking his own catch out of state, or shipping to an instate taxidermist, or by the dealer shipping skins or hides out of state or tanning alligator skins in Louisiana. Violation of this part is a class 2 violation as described in Title 56.

\* \* \*

15. Alligator meat and parts may be shipped in containers that are sealed and the parts identified to the CITIES tag of origin. A fully executed alligator hunter, farmer, or parts dealer Alligator Parts Sale or Transaction Form and Shipping Manifest shall meet the U.S. Fish and Wildlife Service parts identification requirements, provided such form(s) is/are prominently attached to the outside of each shipping container. Alligator meat/parts shipped to another state must meet applicable state/federal requirements of the receiving state. Alligator meat/parts exported from the United States must meet the requirements of the U.S. Fish and Wildlife Service as well as those of the receiving country. Alligator skulls being exported shall carry a "tag" containing the CITIES tag number and the hunter's name and license number. The skull must also be physically marked with the number of the original CITIES tag used for the hide of the individual alligator. Violation of this part is a class 3 violation as described in Title 56.

##### **D. Licenses, Permits and Fees.**

\* \* \*

3. No person may engage in the business of buying alligators for the purpose of skinning or buying and selling alligator skins unless he has acquired a resident or nonresident fur buyers license. No resident or nonresident fur buyer shall

ship furs, alligators, or alligator skins out of state. Violation of this part is a class 3 violation as described in Title 56.

4. No person may engage in the business of buying alligators for the purpose of skinning or buying and selling alligator skins or shipping alligator skins out of state or tanning alligator skins within the state unless he has acquired a resident or nonresident fur dealers license. Violation of this part is a class 3 violation.

\* \* \*

11. Every alligator hunter or alligator farmer shipping or transporting his own catch of alligator skins out of state is liable for the alligator hide tag fee and the severance tax thereon, and shall apply for an official out of state shipping tag to be attached to the shipment and shall pay the alligator hide tag fee and the severance tax prior to shipment. Violation of this part is a class 2 violation as described in Title 56.

\* \* \*

#### F. Alligator Hide Tag Procurement and Tagging Requirements

\* \* \*

2. Landowners, Land Managers and Hunters - upon application to the Department on forms provided for tag issuance. Applications for alligator tag allotments will be taken annually beginning August 1 and ending 10 days after the season opens. Tags will not be issued after the 10th day following the season opening date.

\* \* \*

c. Alligator hide tags shall be issued to licensed alligator hunters without charge. Numbered alligator hide tags shall only be issued in the name of the license holder and are nontransferable. All unused alligator tags shall be returned within 15 days following the close of the season.

3. Alligator farmers - Alligator hide tags shall be issued to properly licensed alligator farmers without charge upon request at any time at least two weeks prior to scheduled harvesting, subject to verification of available stock by Department personnel. All unused alligator tags shall be returned to the Department within 15 days following the last day of the year that issued tags are valid.

\* \* \*

#### G. Open Season, Open Areas, and Quotas.



\* \* \*

2. The open areas are as follows:

\* \* \*

d. The open alligator egg collection season shall include those areas designated by the biological staff of the Department as alligator habitat which can sustain an egg collection harvest and egg quotas will be determined by Department biologists.

\* \* \*

J. Nuisance Alligator Control

\* \* \*

4. Tags will be issued without charge to nuisance alligator hunters. Nuisance alligator hunters will attempt to catch nuisance alligators and relocate to natural habitat selected by the Department. It is unlawful for any nuisance alligator captured alive to be sold or otherwise disposed of on an alligator farm. Alligators and alligator parts taken under these provisions may be retained and sold by the nuisance alligator hunter as any other legally taken wild alligator or alligator part. Violation of this part is a class 4 violation as described in Title 56.

\* \* \*

K. Report Requirements

\* \* \*

2. Commercial alligator hunters receiving hide tags from the Department are responsible for disposition of all issued tags and must:

a. Complete an official alligator parts transaction form furnished by or approved by the Department for each alligator part transaction. These forms shall be submitted to the Department at the end of the calendar year.

\* \* \*

c. All unused tags must be returned to the Department within 15 days following the close of the season.

\* \* \*

g. The alligator hide tag fee and severance tax shall be collected by the Department from the alligator hunter who is shipping his own alligators or raw alligator skins, or who

intends to custom tan, or use for taxidermy, the alligators or raw skins.

\* \* \*

4. Alligator farmers receiving hide tags from the Department are responsible for disposition of all issued tags and must:

a. Complete an official alligator parts transaction form, furnished by or approved by the Department for each alligator parts transaction. These forms shall be submitted to the Department along with the annual report. Violation of this part is a class 2 violation as described in Title 56.

\* \* \*

c. All unused hide tags must be returned to the Department within 15 days following the last day of the year that issued tags are valid. Violation of this part is a class 2 violation as described in Title 56.

\* \* \*

g. The alligator shipping label fee or the alligator hide tag fee and the severance tax shall be collected by the Department from the alligator farmer who is shipping alligators or raw alligator skins, or who intends to custom tan, or use for taxidermy, the alligators or raw skins.

5. Fur buyers, fur dealers, alligator farmers and alligator hunters engaged in the business of buying and/or selling whole alligators or alligator hides must keep within the state a complete record on forms provided by or approved by the Department, all purchases and sales of whole alligators or alligator hides as described in Title 56, and;

a. Every fur buyer, fur dealer, alligator farmer or alligator hunter having undressed alligator hides in his possession shall file with the Department within 60 days of purchase or within 60 days of tagging or prior to shipping out of state or prior to tanning skins in Louisiana, whichever occurs first, a complete report, on forms provided by or approved by the Department, a detailed description of alligator hides to be shipped or tanned. At the time of shipment or prior to tanning, Department personnel will inspect hides and replace any broken or reattached tags. Department personnel will issue the appropriate number of yellow shipping tags, one for each shipment. At that time, Department personnel will affix a seal/or locking device to each container and if container is reopened by anyone other than Department personnel or Federal personnel this action will be considered illegal. In conjunction with the inspection and prior

to Department issuance of shipping tag(s) and seal(s) or locking device(s), Department personnel must collect:

\* \* \*

ii. Shipping manifest including each skin in shipment. A fully executed (filled out) shipping manifest containing all information required in the buyer/dealer record may be substituted with Department approval for the buyer/dealer record requirement on farm raised alligator skins.

\* \* \*

iv. Severance tax and alligator hide tag fees owed by alligator hunter, alligator farmer or fur dealer.

\* \* \*

6. Fur dealers engaged in the business of buying and selling alligator hides must maintain complete records of alligator hides purchased inside and outside the state as described in Title 56. Fur dealers in the business of tanning alligator hides must provide a monthly report, on forms provided by or approved by the Department, of all alligator hides being held in inventory. Failure to maintain complete records and to pay the required severance tax and alligator hide tag fees subjects any dealer to the full penalties provided and the immediate revocation of his license by the Department. No license shall be issued to a dealer who has not paid the tax and alligator hide tag fees for the preceding year. Violation of this part is a class 3 violation as described in Title 56.

\* \* \*

#### P. Exceptions

1. The Department or an authorized representative of the Department may take by any means and possess alligators, alligator eggs, or parts of alligators while in the performance of official duties.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, 259, 261, 262, 263 and 280.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:1070 (December 1990), Amended LR 17:892 (September 1991), Amended LR 19:215 (February 1993), Amended LR

A Declaration of Emergency to **Set Trapping Season** was presented by Mr. Johnnie Tarver. He began by reading the Emergency Resolution. Commissioner Schneider made a motion to accept the Resolution and Declaration of Emergency and was seconded by Commissioner Vujnovich. Chairman Jones commented he has received calls requesting nutria meat for sale outside the season. The motion passed with no opposition.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

#### EMERGENCY RESOLUTION

La. Wildlife and Fisheries Commission

August 20, 1993

**WHEREAS,** the promulgation of trapping season for the taking of furbearers is a wise use of a renewable natural resource; and

**WHEREAS,** biological data has determined that populations of furbearing animals are at or above carrying capacity and that surplus animals taken by legal trapping have no adverse impact on those populations; and

**WHEREAS,** the Fur and Refuge Division recommends an open trapping season for 1993-94 as follows:

North Zone: All furbearers, November 20, 1993 through February 15, 1994.

Experimental Season: February 16, 1994 through March 15, 1994. Soft catch only (padded trap) and non-locking snare.

South Zone: All furbearers, December 1, 1993 through February 28, 1994.

The boundary between North and South Zones shall be: Interstate Highway 10 from Texas state line to Baton Rouge; Interstate Highway 12 from Baton Rouge to Slidell, and Interstate Highway 10 from Slidell to the Mississippi state line.

Bobcat and otter by federal regulation must have an export tag attached to verify origin in Louisiana at the time of sale. State possession tag must accompany pelt during instate commerce.

**THEREFORE BE IT RESOLVED**, that the Louisiana Wildlife and Fisheries Commission does hereby adopt these recommended dates for the 1993-94 trapping season.

**BE IT FURTHER RESOLVED**, that the Louisiana Wildlife and Fisheries Commission does hereby authorize the Secretary of the Department of Wildlife and Fisheries to take any and all necessary steps to promulgate the 1993-94 trapping season including extending or shortening the adopted season for furbearer management purposes.

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Bert H. Jones, Chairman  
Louisiana Wildlife & Fisheries  
Commission

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Joe L. Herring, Secretary  
Louisiana Department of Wildlife  
& Fisheries

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) the Administrative Procedure Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set the furbearer trapping season and the rules regulating it, and R.S. 56:260, the 1993-94 furbearer trapping season is hereby established in accordance with the following regulations.

The season for the trapping of furbearers by licensed trappers shall be:

North Zone: All furbearers, November 20, 1993 through February 15, 1994.

South Zone: All furbearers, December 1, 1993 through February 28, 1994.

Experimental Season: February 16, 1994 through March 15, 1994. Soft catch (padded jaw) and non-locking snare only.

The boundary between the North and South Zones will be: Interstate Highway 10 from the Texas state line to Baton Rouge; Interstate Highway 12 from Baton Rouge to Slidell; and Interstate Highway 10 from Slidell to the Mississippi line.

Bobcat and otter by federal restriction is imposed by the CITES Scientific Authority require the placement of an export tag prior to out-of-state shipment.

Bert H. Jones  
Chairman

**Discussion of Non-Resident License Fees** for informational purposes only was initiated by Mr. Fred Prejean. The Department had received numerous unfavorable telephone calls about an increase in non-resident license fees. The two-day trip license and the seven-day trip license are the main areas of concern. Mr. Prejean provided the Commission with information on non-resident license fees for the states along the Gulf coast, a copy of the legislation that increased the non-resident fees, and a copy of the legislation that authorized the Commission to set the fees. *Information on* The impact of the increase was not known, nor the number of licenses sold, to say whether the State was losing revenues. The Department was willing to do a survey of the businesses who sell the licenses to find out the number of licenses sold and the amount collected after the first six months of the fiscal year.

Commissioner Jenkins asked, when can the consideration of license fees occur again, and was Mr. Prejean recommending any action from the Commission? *said he* He also received a few phone calls and then suggested maybe considering a one-day trip license instead of the two-day trip. Mr. Prejean stated Commissioner Jenkins' suggestion would create a new license and he was not sure if the Commission had that authority. Mr. Don Puckett felt the Commission could not create a new license; however, the Commission could modify fees. Chairman Jones asked if it was known how much additional revenue was projected for the Enforcement Division, and if a reduction in the fees occurred, would there be an alternate source? Commissioner Jenkins asked, if Mississippi had a three-day trip license for \$8 with no stamp required, and Texas had a \$7 stamp, *and* was the \$10 license needed also? Chairman Jones asked if, in Mississippi, do you have to have a freshwater fishing license in order to buy a saltwater fishing license? Mr. Prejean reminded the Commission that Louisiana recognizes the Texas resident license in Louisiana, but does not honor the non-resident issued license. Chairman Jones asked if there was a definitive line. Commissioner Schneider then requested input from the public. Chairman Jones opened the discussion for public comment.

Representative Joe Salter thanked the Commission for putting the item on the agenda and expressed a real concern on this. He then informed the Commission on the actions of the Legislature with the passing of Act 256 which changed the non-resident license fees. The problem in his district with Toledo Bend is that Texas' fees are \$10 and they are seeing people come in, ask what license fees are for both Texas and Louisiana, then drive over to Texas and buy license there. *A* He was concerned that these people will stay on the Texas side and spend their money over in Texas and *that* will adversely affect Louisiana. Act 754 gave the authority of setting non-resident fees to the Commission. *to* He then asked for some adjustment be made and stated he understood about the budget situation but felt if no action was taken, it would be counter productive. Representative Salter asked the Commission to move as quickly as possible in order to provide some relief with the situation on the

border lakes. Commissioner Jenkins asked Representative Salter if he had a recommendation. He suggested adopting the same fees as Texas has on their seven-day trip for freshwater license<sup>2</sup> or go back to the \$15.50 fee. Commissioner Jenkins asked how long had he been in the legislature and if the Department did not have reciprocal agreements with other states.

Commissioner Schneider asked Mr. Don Puckett if the Department had a license that allowed a person to fish two days in saltwater and freshwater for \$23; if the fee could be changed if the Commission wanted to; what was the price for a non-resident freshwater trip license, a non-resident saltwater trip license and then a combination trip license? Commissioner Jenkins asked if the Commission could change the fees without it being announced on the agenda. Commissioner Mialjevich asked, if it would be changed at the next meeting, would there be a waiting period for it to become effective or could you do a Declaration of Emergency.

Mr. Clyde Kimball expressed his appreciation for concern to the business owners around Toledo Bend but asked the Commission to wait until all available information was obtained. Commissioner Jenkins stated that if the process was started next month, there would be a four month time frame involved. He then asked Mr. Kimball if that time frame would be sufficient; and if he had any idea on the impact of the license sales as of that day.

Ms. Linda Curtis-Sparks from the Sabine River Authority had figures that represented only Sabine Parish. Sabine, DeSoto and Vernon Parishes sell 23% of the out-of-state freshwater fishing licenses and of this 23%, Sabine Parish sells 17%, reports Ms. Curtis-Sparks. She also mentioned she had a petition from 100 ~~business people asking the Commission to change the license fees~~ <sup>were</sup> which they felt was hurting Toledo Bend. One business on Toledo Bend, during the month of August 1992, sold 383 out-of-state fishing licenses; however, during August 1993, there were only 3 licenses sold. Clarification was needed that the Texas license would not be honored on both sides of the lake. Ms. Curtis-Sparks estimated a loss of about \$37,000 if the license was reduced to equal Texas' license fees. Commissioner Jenkins stated he did not know how much the budget would be impacted and then asked Mr. Prejean if any information was available. Ms. Curtis-Sparks stated the Authority could go back to Toledo Bend and inventory the marinas, convenience stores and sheriff's offices surrounding the lake for the three parishes. Chairman Jones thought the survey would be a good idea and then he reminded all that through the license sales the State was allocated certain Federal funds. He stated the Commission would take into consideration the impact on Enforcement and thought a study of the whole scenario was needed. Mr. Prejean stated the Department would be happy to work with any groups to help research this dilemma.

Mr. Hugh Hyman representing Louisiana Travel Promotion Association informed the Commission that his Association met and a motion was passed that the rates ~~would go back to the original fees~~ until a study was made. The Association would work with the Department in the research to try to find a solution. *Should*

Mr. Randy Lanctot, Louisiana Wildlife <sup>the</sup> Federation, began by explaining the process for raising money for Enforcement Division. He stated that the Commission has the opportunity to set non-resident license fees and felt the legislature would amend the statute to allow the Commission to set the types of licenses that would be needed. But before the license fees are changed, Mr. Lanctot felt the State needed to know how to get the most money into the State for the benefit of the citizens by doing a study. He also felt the Commission should be involved in the study. Commissioner Mialjevich asked if there was a reason the legislation was limited only to recreational licenses, or did it include commercial? Commissioner Schneider asked Mr. Lanctot if his organization wanted to promote hunting and fishing in this state to out-of-state people and if his organization would help in getting the legislation through to promote these activities.

Commissioner Cormier asked Mr. Prejean <sup>the</sup> if the Commission decided to change the fees, and there was a reduction in the amount for Enforcement, would the cuts be just for Enforcement or would the reduction be equally divided between the divisions. Commissioner Jenkins asked <sup>the</sup> when the projections were made, were the same number of licenses sold used, and as of now, there is no information on how this has impacted the number of licenses sold. *total* Chairman Jones suggested moving on and try to find out what the impact would be. He also stated this should be monitored so the Commission could react accordingly. Commissioner Jenkins stated he wanted the item put on the agenda for the next meeting. Mr. Prejean noted he would conduct a survey and get some information that would be helpful.

The Ratification of the Menhaden Season was handled by Mr. Harry Blanchet. The rule changes the permanent closing date for the Menhaden Season to November 1 from the Friday following the second Tuesday in October. Commissioner Jenkins asked about a statement that the menhaden industry had been overfished. Chairman Jones asked Mr. Blanchet read the Therefore Be It Resolved portion of the Resolution. Commissioner Mialjevich made a motion to accept the Resolution and was seconded by Commissioner Jenkins. The motion passed with no opposition. Commissioner Jenkins asked about a suggestion that the menhaden fishing caused the turtles dying in purse seining; and if there is a large quantity of other fish caught.

(The full text of the Resolution and Rule is made a part of the record.)



## RESOLUTION

### MENHADEN SEASON

**WHEREAS,** menhaden are managed cooperative by Gulf States Marine Fisheries Commission, so as to facilitate complimentary management regimes for interjurisdictional fisheries along the Gulf Coast, and

**WHEREAS,** the Gulf States Marine Fisheries Commission unanimously recommended implementing a change in the season to run through November 1 of each year, and requested that each state enact this change, and

**WHEREAS,** maintaining a consistent season throughout the range of the fishery over the Gulf will assist in the goal of managing the stock as a unit over its range, and

**WHEREAS,** in recent years, effort in the fishery has declined, due to reduction in size of the fleet, inclement weather, and hurricanes, and

**WHEREAS,** scientists of the National Marine Fisheries Service have reviewed potential effects of season extension, and concluded that the current stock of menhaden in the Gulf is quite healthy, and will not be adversely affected by this change.

**THEREFORE BE IT RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does ratify this Rule amending the season for the taking of menhaden as well as the processing of menhaden from Louisiana waters.

**BE IT FURTHER RESOLVED,** that the complete contents of the Rule are attached to and made part of this resolution.

**BE IT FURTHER RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this rule.

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Bert H. Jones, Chairman  
Louisiana Wildlife & Fisheries  
Commission

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Joe L. Herring, Secretary  
Louisiana Department of Wildlife  
& Fisheries

## RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby amend, in accordance with the Administrative Procedure Act, the legal menhaden fishing season.

## Title 76

### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 3. Saltwater Sport and Commercial Fishing

##### §307. Menhaden Season

A. The season for the taking of menhaden as well as processing of menhaden shall be from the third Monday in April through November 1.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:313, 56:6(25)(a) and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:329 (October 1979), amended LR 14:547 (August 1988), amended LR 19:58 (January 1993), amended LR (September 1993).

Bert H. Jones  
Chairman

A Discussion of the Mussel Plan was the next topic discussed by the Commission. Mr. Bennie Fontenot informed the Commission the permits for harvesting mussels were about to be issued. He stated, in order for the program to work, there was to be cooperation between the Inland Fisheries Division and Enforcement Division. *A* Senate Concurrent Resolution in 1990 ~~Legislature~~ created the Mussel Task Force to study ~~as~~ a commercial season and to develop rules for the season. There has been a problem getting the program off the ground, but now with Mr. Dave Arnoldi in position to help, the program is ready to begin. Commissioner Vujnovich asked if anyone has applied for a permit. Mr. Fontenot advised that 8 residents and 1 non-resident ~~has~~ applied for a permit. Commissioner Schneider stated he has received calls in his area asking questions on how the program could affect the rivers that ~~goes~~ into Lake Pontchartrain. Chairman Jones asked who would be the buyers for these mussels; do the mussels have to be sold to someone in Louisiana and do they have to have a permit; *AND* who are the buyers in Louisiana? *have*

Commissioner Schneider asked what species of the mussel would the divers be after? Mr. Fontenot answered the Washboard, the

Maple Leaf and Three Ridge. Commissioner Schneider then asked if there is a reef of the shells; do all of one species grow together? *AND* Chairman Jones asked how long do mussels live; how long before they begin to reproduce; *AND* are there any Louisiana studies on mussels? Commissioner Jenkins asked if mussels can be overfished; do they reproduce to compensate for overfishing; how would overfishing be defined; how would you know when to quit fishing? Commissioner Jenkins then quoted Dr. Malcolm Vidrine who stated that mussels could easily be overfished. Commissioner Cormier asked if there was data on the numbers of mussels in Louisiana. Secretary Herring asked Mr. Fontenot to explain how the legal size to be taken was a certain age and has had several years of reproduction. Commissioner Jenkins asked who was going to enforce the regulations on mussel fishing. Then, to Col. Vidrine, Commissioner Jenkins asked if his agents were trained to recognize the different mussel species.

*Would be known* Mr. Corky Perret stated *that* the names of those who would take the mussels, the area they would take them would be known, and there was a size limit to protect the stock. He then stated there may be problems with enforcing the regulations. Commissioner Schneider stated he had a problem with "learning as we go" on a new industry. If you start a new industry, he felt the Department should know what they were talking about before it was started. He told Mr. Perret he wanted to know where the mussels are, to have someone checking the fishermen before they take the mussels, while they are taking the mussels and after they take them out. Commissioner Schneider stated he felt the Department was setting them up for another bad illegal industry which he based on past history. Commissioner Schneider read from a report by an expert that the mussels were very important to the water quality and felt with no studies on how important they are, you do not know the effects. He commented he was scared of the program and did not have a good feeling. He further felt that there may ~~not~~ be a lot of problems that will need to be solved. Commissioner Jenkins asked if the Department was going to check on these permits like they do for the aquaculture permits; and how will the Department know the fishermen has put the illegal sized mussels back properly to prevent them from dying? *Replaced properly?* Commissioner Schneider asked, if you do not have any trained divers, how would you check the illegal mussels being replaced properly? Then he asked if there were any studies done on the effects to water quality with the removal of mussels; and if, as a biologist, would he like to know the answer to the question? Chairman Jones asked, how would someone know the difference between a mussel when they are diving in the blind?

Commissioner Jenkins read a portion of Dr. Vidrine's paper pertaining to the proper placement of the mussels and then asked how would the Department check on the temptation of not placing the mussels back properly? Chairman Jones asked where are the experienced mussel fishermen from and if there are any experienced fishermen in Louisiana? Commissioner Cormier asked what would be

the economic impact for harvesters <sup>of</sup> in the mussels. Commissioner Schneider asked how many pounds can a diver hand pick a day? Commissioner Mialjevich asked if anybody could get a permit and then stated that that would leave qualified divers right out of the discussion. Commissioner Jenkins asked if this program was like the Wild Louisiana Stamp, where the Commission and public comments were left out. Chairman Jones asked who handled the bill for the Department and if Mr. Fontenot was aware that the Commission was left out of the process. Commissioner Schneider asked what was the cost of the license and if there was a severance tax on the mussels?

*there is* Chairman Jones asked if all the areas open are state-owned water bottoms. Mr. Fontenot stated all areas below the saltwater line were closed and a recommendation to close Bayou Bartholomew in Morehouse Parish which has some endangered species in it. Commissioner Schneider asked if the Scenic Rivers were exempted or would they be dug up. He felt the program would cause damage to the stream bottoms and asked who would do the protecting of the resource. Commissioner Jenkins asked if there have been any violations or problems in other states; and would the Department give permits to those who have violations in other states? Commissioner Cormier asked if it was known how much this program would benefit Louisianians? *were* Chairman Jones asked what was the number of applicants thus far? Mr. Arnoldi stated there were six residents that have been cleared by Enforcement; one resident and one non-resident that ~~was~~ still being checked. Commissioner Cormier asked if there were six applicants from the State of Louisiana. Commissioner Mialjevich asked if these applicants were to harvest or buy the mussels. Chairman Jones asked Mr. Fontenot how many permits would be issued; then he asked Secretary Herring the same question. Commissioner Schneider then asked how many would be too many permits. Secretary Herring told the Commission how the program would work with the permitting system and that information would be gathered from the permits. Commissioner Jenkins asked why did the mussel harvesting stop; what type information would be obtained from the permit process; would you still know how much was left if you only knew how many were taken; and what good would this information be to the Department? Chairman Jones asked who would monitor the program. Commissioner Vujnovich told about a friend who used to harvest and sell mussels but quit and stated he would call his friend and find out what happened. Commissioner Cormier asked if, in the future, there could be a study done in order to have control on how much of the resource is there and harvested. Commissioner Mialjevich asked who were the members of the Task Force, and requested a copy of the minutes of the meetings and a copy of the book; and if there were public hearings on the rules? Commissioner Schneider stated he would not have put the item on the agenda if he had not received 30 calls from the public who are concerned about the water quality.

Chairman Jones stated he wanted someone to teach him how to do this process and how one would know not to touch a Heelsplitter or Louisiana Pearlshell. Then he asked what constituted a mussel being "intentionally disturbed". Commissioner Jenkins asked if the Department anticipated a lot of pounds of mussels taken the first year since the State does not have a severance tax on the mussels this first year, could there be a possibility of the bulk taken; should the Department wait until the tax was in place in order to benefit the State. Commissioner Cormier asked if there would be a limit on the number of permits issued the first year.

Chairman Jones asked who stimulated the interest in this program and was there legal take prior to this program. Commissioner Jenkins asked if there was a law on the books on mussels, what did the Concurrent Resolution have to do with it and did the Concurrent Resolution form the Task Force? Then Commissioner Jenkins made a motion which stated, the Commission through the Department and its representatives in the legislature go back and amend the law to include the Commission be involved in the process. Commissioner Schneider seconded the motion. There being no further discussion, Chairman Jones called for the vote. The motion passed with no opposition. Mr. Fontenot informed the Commission he had a VCR tape on mussels and programs in Tennessee. Chairman Jones asked if copies of the tape could be made for all the Commission members.

A Notice of Intent on the **Commercial Fisherman's Sales Report Form** was handled by Mr. Joey Shepard. Mr. Shepard reminded the members that a Declaration of Emergency was passed at the August meeting to postpone the implementation date of the Commercial Fisherman's Sales Report Form. The Notice of Intent was to get the rule making process started. Chairman Jones asked Mr. Shepard read the Therefore Be It Resolved portion of the Resolution and the Notice of Intent. Commissioner Jenkins asked if the reason for this action was because of no money. Commissioner Cormier made a motion to accept the Resolution and Notice of Intent and was seconded by Commissioner Vujnovich. The motion passed unanimously.

(The full text of the Resolution and Notice of Intent is made a part of the record.)

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
Commercial Fisherman's Sales Report Form

**WHEREAS,** Louisiana Revised Statute 56:345(B) requires the Louisiana Wildlife and Fisheries Commission to establish a Commercial Fisherman's Report Form to be used by commercial fishermen to report in detail the quantity of each kind of fish sold to anyone other than a resident wholesale/retail dealer, and

**WHEREAS,** the Louisiana Wildlife and Fisheries Commission has established through LAC Part VII, Chapter 2, 76:203(D) a starting date of July 1, 1992 for full implementation of the Commercial Fisherman's Report Form, and

**WHEREAS,** the Department of Wildlife and Fisheries has not yet been provided sufficient funding to implement the program for fiscal year 1993-94.

**THEREFORE BE IT RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the full implementation date of the Commercial Fisherman's Sales Report Forms from July 1, 1992 to January 1, 1995. The Notice of Intent attached to and made a part of this resolution is hereby approved.

**BE IT FURTHER RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

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Bert H. Jones, Chairman  
Louisiana Wildlife & Fisheries  
Commission

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Joe L. Herring, Secretary  
Louisiana Department of Wildlife  
& Fisheries

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby expresses its intent to amend the full implementation date of the Commercial Fisherman's Sales Report Form from July 1, 1992 to January 1, 1995.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 2. General Provisions

#### §203. Commercial Fisherman's Sales Report Form

\* \* \*

D. The effective date of this Section is January 1, 1995.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:345(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:82 (January 1992), repromulgated LR 18:198 (February 1992), Amended LR .

Interested persons may submit written comments on the proposed amendment to the following address before November 1, 1993: Joseph Shepard, Programs Manager, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Bert H. Jones  
Chairman

A Notice of Intent on the **Dealer Receipt Form** was presented also by Mr. Joey Shepard. Mr. Shepard read the Therefore Be It Resolved portion of the Resolution and Notice of Intent as requested by Chairman Jones. Commissioner Vujnovich made a motion to accept the Resolution and Notice of Intent and was seconded by Commissioner Cormier. The motion passed with no opposition.

(The full text of the  
Resolution and Notice of Intent  
is made a part of the record.)

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
Dealer Receipt Form

**WHEREAS,** Louisiana Revised Statute 56:303.7(B) requires the Louisiana Wildlife and Fisheries Commission to establish a Dealer Receipt Form to be used by wholesale/retail dealers who purchase fish from commercial fishermen, and

**WHEREAS,** the Louisiana Wildlife and Fisheries Commission has established through LAC Part VII, Chapter 2, 76:201(F) a starting date of July 1, 1992 for full implementation of the Dealer Receipt Form, and

**WHEREAS,** House Concurrent Resolution No. 42 of the 1992 Louisiana Regular Session did suspend until 60 days after the 1993 Regular Session the implementation of the provisions of R.S. 56:303.7(B), relative to the receipt form due to budgetary constraints of the Department of Wildlife and Fisheries, and

**WHEREAS,** the Department of Wildlife and Fisheries has not yet been provided sufficient funding to implement the program for fiscal year 1993-94.

**THEREFORE BE IT RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the full implementation date of the Dealer Receipt Forms from July 1, 1992 to January 1, 1995. The Notice of Intent attached to and made a part of this resolution is hereby approved.

**BE IT FURTHER RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

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Bert H. Jones, Chairman  
Louisiana Wildlife & Fisheries  
Commission

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Joe L. Herring, Secretary  
Louisiana Department of Wildlife  
& Fisheries

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby expresses its intent to amend the full implementation date of the Dealer Receipt Form from July 1, 1992 to January 1, 1995.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 2. General Provisions

#### §201. Commercial Fisherman's Sales Card; Dealer Receipt Form

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F. Effective date of Subsections A and B of this Section is upon publication in the Louisiana State Register. Effective date for Subsections C, D and E of this Section will be January 1, 1995.



AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.7.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:81 (January 1992), repromulgated LR 18:198 (February 1992), Amended LR .

Interested persons may submit written comments on the proposed amendment to the following address before November 1, 1993: Joseph Shepard, Programs Manager, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Bert H. Jones  
Chairman

The next item discussed for informational purposes only was on **Shrimp Sanctuaries**. Mr. Brandt Savoie provided the members with an update on work done on shrimp sanctuaries. He requested input from the Commission on the goals or needs that the Department could build on. He then explained the need for sanctuaries, which was to help alleviate the steady decrease in the size of shrimp, and a few reasons for the steady decrease. The goal for sanctuaries was to reduce fishing pressure on the small shrimp. Methods to achieve the goals, benefits and negative impacts were also explained by Mr. Savoie. He also stated that the Department was trying to get shrimp sanctuaries to follow along the same line as the goals and objectives of the shrimp management plan. The Shrimp Task Force activities and future plans were discussed, as well as the work being conducted by the Marine Fisheries Division. *commented on*

Commissioner Jenkins asked if the idea of sanctuaries was proposed in the shrimp plan and were the goals and objectives as mentioned at the meeting the same as those from 20 years ago? Mr. Corky Perret stated that for any sanctuary to work, the Marine Fisheries Division needs to work closely with Enforcement. Commissioner Jenkins then told Mr. Perret in the Goal for sanctuaries the Department should add, "also to reduce possible damages to other marine life and the habitat". Chairman Jones asked if the shrimpers in the shallow waters and marsh areas had an impact on coastal erosion; are the same lines still in effect and if Mr. Perret's thinking on these changed; if there was a copy of the lines available; if he thought sanctuaries would be impossible in inshore waters because of enforcement; if the proposed sanctuaries from 20 years ago would be the same proposed today; and would they help the shrimping industry? Commissioner Vujnovich told Mr. Perret of incidents that have occurred while he was fishing for oysters and stated the sweepers were destroying the water bottoms and asked that it be checked. Chairman Jones asked *if* Commissioner Vujnovich ~~that~~ as an experienced fishermen, he knew the sweepers were having an impact. Commissioner Vujnovich has heard from fishermen that use the sweepers that if the Department could see what was being done to the small fish, ~~we~~ *they* would think again about allowing the use of the sweepers. Mr. Perret stated

the overall production has been increasing since the 1960's, and by-catch work was continuing. Commissioner Vujnovich stated to Mr. Perret that production was not as high years ago as it is today ~~was~~ because of limited sales.

Chairman Jones asked when would shrimp sanctuaries be established; felt and has heard there was a real need for shrimp sanctuaries; why has the Department not done anything yet; and does the Commission have the authority to set sanctuaries now. Then he requested Mr. Savoie come back next month with the Department's proposed areas for shrimp sanctuaries. Then he asked how much conversation has there been on sanctuaries at the Shrimp Task Force Meetings. Commissioner Jenkins stated, from what he has been told over the last year, he felt the Shrimp Task Force was not vitally interested and thought it would be if someone brought it to their attention. Then he stated that he thought the Department and Commission would receive public input if the Commission said they wanted sanctuaries and that they wanted them in a certain way.

Commissioner Mialjevich felt it was more than shrimp sanctuaries, he felt there would be a better plan if the majority of the people voted for a certain area and drawing a line from the majorities input. He stated shrimpers had nothing against sanctuaries, that they did not want to catch shrimp they could not sell and were not out to destroy themselves. In his opinion, Commissioner Mialjevich advised to take a slower approach. Commissioner Jenkins stated he had one problem with what Commissioner Mialjevich said and that was this same discussion was done last year and asked how do you urge these people to hurry up and do it? Commissioner Mialjevich felt you could not urge these people. Chairman Jones suggested the Commission work to lead these people forward and wanted to see what the Department's recommendation would be and then receive input from the shrimper. Mr. Perret said sanctuaries are only one solution to the shrimp being small, there are a lot of others, to which Chairman Jones wanted to know what they were. Mr. John Roussel reminded the Commission that there are negative points to sanctuaries and this should be considered. Chairman Jones asked Mr. Roussel if he thought sanctuaries were for the positive or negative side. Commissioner Jenkins asked, with the conflict of interest in the different user-groups, could there be a diverse group of people to discuss this and come up with a solution. Commissioner Vujnovich felt there was better than a 50% chance of finding a solution to protect the industry for the future. Chairman Jones asked if there was a traditional fishery? Commissioner Jenkins asked if the catch per unit effort has increased, also and, if it has not, then there was a lot more effort.

Commissioner Cormier agreed with Commissioner Mialjevich in that the Commission can keep abreast of the Task Force's actions and if they fail then the Commission can take action. Chairman Jones asked if the Department would have to give the Task Force

their recommendations on shrimp sanctuaries and requested seeing the Department's proposal. He felt the Department nor the Commission should be user-driven, but should be resource biology driven. Commissioner Cormier asked if the groups are the actual fishermen themselves and if they take the advice from the biologists and then determine if they want to adhere to it. Chairman Jones stated he wanted the Commission to give the user-groups what the Department ~~is~~ wants to give them. Secretary Herring stated this subject has been around and discussed for over 50 years.

Commissioner Mialjevich stated not only should everyone look at the environmental aspect to protect the shrimp, but you have to look at the devices used to harvest the shrimp. One of his goals was to work better with the Coast Guard and to help the Enforcement Division. He felt the cooperation of the fisherman was needed and the Commission should not get them angry from the start. Commissioner Mialjevich thought the Commission should follow the Shrimp Task Force closely. Mr. Perret asked Mr. Savoie if the Shrimp Task Force has endorsed shrimp sanctuaries and the Department was showing them areas. Commissioner Jenkins stated maybe the Commission should consider sanctuaries other than for shrimp reasons. Then he requested an item for the next meeting which followed the idea of recommendations on sanctuaries for habitat purposes. Mr. Savoie stated what was being presented at the meeting was how the Department and the Task Force wanted to protect the juvenile shrimp. Then Commissioner Jenkins asked why was there a need for shrimp sanctuaries.

Chairman Jones asked, if shrimp sanctuaries was not the way to protect the shrimp, the marsh and the juvenile finfish, what would the Department say needs to be done? Commissioner Vujnovich ~~asked~~ <sup>stated</sup> with two freshwater diversions that began in January plus the flooding in the Mississippi River, his area has never looked as beautiful and the estuaries will change the marsh and felt the effects of the two new diversions should be watched very closely. Commissioner Mialjevich asked if ~~the~~ larger webbing would do the same as sanctuaries; if the people using the skimmer nets were full time commercial fishermen; and what was the survival rate of shrimp that passed through webbing? Going on, he asked if the negative impacts to juvenile shrimp populations would be the same if there was an increase in adult crabs and finfish populations; then he suggested looking at the possible side effects. Commissioner Mialjevich asked if sanctuaries ~~was~~ the only management tool that would be looked at. Chairman Jones stated he felt like he was a shore bird and suggested someone needed to jump in and make a decision; then asked when was the next Task Force meeting; who sets the meeting; what was the average number of people that attend the Task Force meetings; and, if there has been a quorum at the meetings?

Commissioner Mialjevich asked Mr. Hugh Bateman and Commissioner Schneider what did he say that upset them when he was talking about the hunting people not leaving a job to attend a meeting. Chairman Jones requested the LSU staff and the Department's staff come up with a recommendation that would be given to the Task Force and present <sup>it</sup> at the next meeting. Mr. Savoie requested the Commission give a statement of what the goal should be and noted he added the suggestion from Commissioner Jenkins which would prevent possible damage to other marine life and habitat. Chairman Jones restated that next month the Department would present their recommendations for shrimp sanctuaries and asked that the Department not be user-driven.

**Civil Restitution and Class 1 Update** computer printouts were provided by Ms. Wynnette Kees to the Commission members. Chairman Jones asked if there was a major increase in the Civil Restitutions this month. Ms. Kees stated there was an increase over July's figures which could be due to Operation Gold Key and possibly due to the beginning of shrimp season. She gave a summary of the citations and possible civil restitutions from Enforcement's Operation Gold Key and hoped to give a complete list at the next Commission meeting. Commissioner Mialjevich asked what type of fine would be a \$13,000 fine and how does the "Credit for Goods Sold" work. Ms. Kees informed Chairman Jones that one of the violators in Operation Gold Key was the same as the person involved in the Redfish case he had been following.

**The Monthly Law Enforcement Report for August** was given by Lt. Col. Charlie Clark. The following numbers of citations were issued during the month of August. Commissioner Mialjevich asked ~~that~~ for the next report to include the location of where each of these region offices are.

Region I - Minden - 34 citations.

Region II - Monroe - 44 citations.

Region III - Alexandria - 189 citations.

Region IV - Ferriday - 28 citations.

Region V - Lake Charles - 159 citations.

Region VI - Opelousas - 145 citations.

Region VII - Baton Rouge - 209 citations.

Region VIII - New Orleans - 386 citations.

Region IX - Thibodaux - 104 citations.

Oyster Strike Force - 56 citations. Commissioner Mialjevich asked where did the seven pounds of shrimp come from.

Statewide Strike Force - 112 citations. Commissioner Mialjevich asked about the violation for Aggravated Battery and Attempted Murder. Then he asked what was the approximate cost to run the offshore boats 220 hours.

Offshore Boats (SWEP) - 38 citations.

The grand total of citations issued statewide for the month of August was 1,504.

Commissioner Jenkins asked how many agents worked in Region IV; if the total cases for the month was below the normal; then suggested the agents be moved and used in another area.

The **Secretary's Report to the Commission** was the next item given by Secretary Herring. He began by saying the Marsh Maneuvers on State Wildlife Refuge was attended by 25 4-H students. Staff from Senator John Breaux's office and Mr. Greg Crosby from Washington, DC visited with the students.

Two employees from the Department spent some time in Canada. Mr. Robert Helm visited the breeding grounds and helped with the color collaring of ~~the~~ geese in order to understand the migrating of the geese. Mr. Scott Durham spent his time in Canada helping with the duck banding project.

The Districts throughout the State have been involved with wood duck trapping and banding with the Fish and Wildlife Service. The goal for this year was 1200 wood ducks and anticipated exceeding that goal.

Three boat ramps had been completed in the Opelousas District; a water control structure on Grassy Lake Wildlife Management Area; and two fishing piers on Spring Bayou Wildlife Management Area.

The alligator research program removed 400 alligators from Salvador Wildlife Management Area and 850 from Marsh Island; 14,946 skins were shipped out-of-state and 10,538 tags were issued to alligator farmers. The brown pelican survey showed they were doing well with an above average figure from previous years. Rockefeller Refuge hosted the International Association of Fish and Wildlife Agencies, Fur Resource Technical Committee meeting.

The Fisheries people had checked several die-offs and found none to be pesticide related but were dissolved oxygen problems.

The Oil Spill Task Force <sup>has</sup> been meeting since their Green Hill spill and <sup>are</sup> about to finalize the results of that spill.

Channel markers on Lake Bistineau were completed through some federal money found by Senator Campbell.

Clean-up in the Atchafalaya Basin ~~due to~~ <sup>AFTER</sup> Hurricane Andrew continued during the month.

Approximately 2,206 subscriptions transactions to the Louisiana Conservationist occurred during the month which included 1,873 renewals and 333 new subscriptions. Twenty-five news releases and five feature stories were put out by the Information and Education Section. There were about 582 visitors to the Library to pick up maps and etc. Hunter Education held 57 classes <sup>Education</sup> and certified 1,950 students. Bow Hunter had 9 classes with 450 students; Project WILD had 4 courses with 123 students.

The staff was working together throughout the State preparing for National Hunting and Fishing Day which would be held September 25, 1993.

Commissioner Cormier asked who was doing the clean-up work in the Basin area. Commissioner Mialjevich expressed he was amazed at the number of people who visited the Library and asked if they knew how many were young people or parents, etc.

Commissioner Mialjevich made a motion the **December 1993 Meeting Date** be scheduled for Thursday, December 2, 1993 in the Baton Rouge office, beginning at 10:00 a.m. and was seconded by Commissioner Vujnovich. The motion passed with Commissioner Jenkins opposing.

Chairman Jones then called for **Public Comments** and heard none.

There being no further business, Commissioner Jenkins made a motion to **Adjourn** the meeting and was seconded by Commissioner Cormier..

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Joe L. Herring  
Secretary

JLH:sch

## DISCUSSION OF SHRIMP SANCTUARIES

September 2, 1993

Mr. Brandt Savoie began the discussion giving information on goals, benefits, negative impacts, shrimp management plan, Shrimp Task Force and the Department's work activities.

(Below is the transcript from the first time Corky Perret spoke on the agenda item.)

Corky: Excuse me, if I can make one comment, please. Mr. Jenkins, you and I have talked about this on several occasions and I want to say it publicly. Any type of sanctuary we have got to work very closely with Law Enforcement because there is no way Charlie and his people are going to be able to enforce some imaginary line that we draw across the bay, it is going to have to be something that is definable, that is enforceable, that the industry can reasonably understand and live with, so that is a real important part in something that we are trying to coordinate as we go.

Commissioner Jenkins: Well, Corky, let me ask you, talking about things that have changed from 20 years ago and I don't know all I know about shrimp, Tee John could probably answer this too. Apparently there have been a further invasion of the very shallow waters in the quest for shrimp in the recent years with the new equipment that is made that maybe wasn't, skimmers and the such as that, you ask us if we want to add something to it, I don't know how the Commission feels, but down here where you say what your goal is, to reduce fishing pressure on juvenile shrimp. I think we ought to add to that also to reduce possible damages to other marine life and the habitat. Because that has been one of my personal concerns when you get back up in a foot or two of water and you are dragging nets scraping on the bottoms and turning everything upside down, I have personally seen dead finfish in the marsh down there as a result of that sort of thing. And, I don't know how extensive it is, but I think that ...

Chairman Jones: Do you think it has any negative impact on coastal erosion? We never have gotten really up close to the marsh until recent and we have had a tremendous decline in our marshes more recent than in past, so ...

Corky: There is some indication that if you are trawling over some of these shallow areas on a certain tide and the boards or whatever could do some damage, certainly, absolutely. The skimmers, that is one of the complaints about the skimmers, that they are getting into some of these areas that heretofore they weren't being fished and they pushing right up into the shallow waters. Which ever one, Mr. Jenkins said about 20 years ago, actually it was, yes about 20 years ago, we had a proposal, we went across the coast and saw, that is where Mr. Mialjevich made his first meeting in Delcambre and I can't remember, I don't think he was too supportive at the time of what we were trying to do, but that was that sanctuary proposal meeting in '73 or '74.

Commissioner Mialjevich: It might have been '72.

Corky: It was 20 or so years ago.

Chairman Jones: Okay well, do we still have those lines? Has your thinking on that changed, so I mean, here we are working on delineating all of these lines and working with Enforcement, where they compatible with Enforcement then?

Corky: If I and the industry and Enforcement, well first off, yes, I think they would be definite benefits in so far as shrimp survival to increase size or increase juvenile survival as well as probably some benefits to some of these organisms and possibly reduction of habitat damage. However, I will be the first to admit I don't think our Enforcement Division with the entire complement of the U.S. Coast Guard could enforce those lines. I think the industry today is a lot more supportive of that concept. The biggest problem is, is just the enforcing of those lines.

Chairman Jones: It will only benefit the industry, how can they not be supportive?

Corky: It is easy to draw a line on a map, but it is not that easy from a practical standpoint when you are on that water to be able to know which side of a line you are or not on. I agree with that line basically other than east of the Mississippi River, we made some big mistakes back then from not only a technical standpoint but from a practical standpoint.

Chairman Jones: Do you have a copy of those lines?

Corky: I think you have been given, you don't have it today, but I think you have been... If I thought that we could enforce, they could enforce, I mean we have had, Charlie could tell you, Tommy, a heck of a lot better than me. We have a coast line that defines inside/outside waters and yet you have expanses from one point to another where we have had some real problems at times trying to get conformity on what is in and what is out.

Chairman Jones: So, in other words, you don't think that sanctuaries on the inside are any possibility according to Enforcement.

Corky: No, I think what, if we define an area, we have got to define it in a way that is enforceable. In other words, we have got to have areas where the reasonable boundary.

Chairman Jones: So, you are saying that your sanctuaries as you proposed 20 years ago are not the same as you would propose today?

Corky: That is something we are looking at. But again, I just think from an Enforcement standpoint we may be creating ...

Chairman Jones: Well, let's think from a biological standpoint.

Corky: From a biological standpoint, I think yes indeed it would reduce pressure on these smaller shrimp in these areas and allow them to reach a larger size.



Chairman Jones: Do you think it would help the shrimping industry?

Corky: Do I think it would help the shrimping industry, I think, again, you are closing areas that generally has much smaller shrimp. The open areas, I would say, on the left side of the south side of that line at certain times are going to have the same small shrimp. We get 100 count plus shrimp three, five, ten miles offshore. Conditions are constantly changing. By and large, the areas we are talking about for the most part always have these much smaller shrimp. I think there would be some benefit to the industry. However, as Brandt pointed out, that equilibrium, you do one thing here it affects something else over there. You take boats out of certain areas, you are going to put more boats in other areas.

Commissioner Vujnovich: Bert, can I ask Corky something?

Chairman Jones: Yes.

Commissioner Vujnovich: Somebody just mention about the sweepers.

Corky: About what?

Commissioner Vujnovich: The sweepers. I have a little experience in (?). I own a big oyster lease there and in the month of May, they opened me up from pollution, I started fishing oysters. I work the whole month of May. Then when they opened up the shrimp season, my dredges, I never caught mud. Five days after, I caught lumps of mud, you know, ten pounds, twenty pounds, the grass. The sweepers are destroying our bottoms. They are doing, I asked one time for it to be checked, and I would like to ask it again because my eyes sees that. And, it takes about 20 days after the season closes for the mud and stuff to disappear.

Corky: You say they are on your lease.

Commissioner Vujnovich: No, no, the outside. My lease are well posted. I had a little, not a run in with the people, you know what I mean, I tell them nicely, you've got the whole bay, it is all oyster leases, but don't go where you see my signs and where it is well marked because I got to make a living just like ya'll and that is it.

Chairman Jones: So, as an experienced fisherman you are saying they are having an impact?

Commissioner Vujnovich: And, I hate to add this, but quite a few of them told me, that if you put a man on there when they are on the inside waters like right now and how much fish they destroy, that we would think twice before letting them operate. Now I was told that from people that has them, that works them. Like right now, you have all those kind of fish from the Gulf that comes on the inside waters, little snappers, you mean the little, you name it and it is in there, speckled trout they are about two or three inches long, they are all in that shallow water. And, that doesn't do any good when you get this day and night, day and night sweeping along the shoreline and everything else. Because you take, I remember 30 or 40 years ago, we never had this night time sweepers

and all that. What we had, we had a couple of hundred trawlers. They use to anchor out and the freight boats were out there. Then naturally, modern times comes along, we get more people in the industry, we get faster boats and everything, and it is completely changed. Now the shrimp people are finally realizing that if they keep doing what they are doing, they won't be no more shrimp industry. And, you can see it, it goes down, down every year.

Corky: Well, overall production has been increasing over the decade, the 60's, the 70's, the 80's, now we are in the 90's, of course. There is more effort, there is more of a lot of things, there is more efficient gear, vessels the whole bit. We have done some by-catch, we are continuing to do by-catch work. By-catch for the most part is less in butterfly nets and skimmers. But it varies at certain times of the year, it is higher in different gears. So, what maybe true today may change next month and does indeed change because of different conditions and different things going on.

Commissioner Vujnovich: But, Corky, you said that the production is higher today. Years ago, the reason why there was no extreme production because you had limited sales.

Corky: I am sorry, limited what?

Commissioner Vujnovich: Limited sales, they would catch it and they couldn't sale it. I remember that.

Commissioner Mialjevich: I remember that in my time.

Commissioner Vujnovich: And that is a big thing. Today, anything you catch, is sold, there is no stopping it, it is 24 hours a day. Before it used to be, what, 8, 10 hours and that was it.

Corky: Well, we are definitely living in a higher faster much more complex society, that is for sure with many, many more people in all of these ...

Commissioner Vujnovich: You know what astonishes me, I have been an oyster farmer since my daddy give me a pair of oyster tongs when I was 12 years old, on my next birthday I will be 72 and what astonished me is that the fishermen can not destroy the oysters that mother nature brings it back. We have a beautiful coming year, and it just astonishes me, with all the people we have depleting, catching this product and we have more now than we had 20 years ago.

Corky: I am going to give credit to our Commission, we make some recommendations to this Commission and they followed this advice and we have, from a man with 60 years experience, so you guys did a great job for oysters. But let me tell you where you are going to get, you got a problem, increase the price for them.

Chairman Jones: Price is not bad if the size is right, though, isn't it?

Corky: Naturally, the shell fish industry is kind of soft, but hopefully that is going to change, Karl Turner is promoting oysters.

Commissioner Vujnovich: There was too much bad publicity, that is what killed us.

Chairman Jones: I know this sounds crazy, but as however long I have been on the Commission, it comes up about every two or three months, when are we going to establish shrimp sanctuaries. I mean ...

Commissioner Vujnovich: Well, I tell you, I am looking at something here, but I don't want to get shot, close public oyster seed grounds to shrimping. If you close all the state oyster waterbottoms that are leased to the oyster people, you close 80% of the state of Louisiana on the inside waters.

Chairman Jones: Is that what that is implying?

Brandt: What we alluded to there were the state public grounds. Right now, if a lease is ...

Commissioner Vujnovich: That is all you have to do because we did have a law, no trawling over the oyster ...

Brandt: If the lease is properly marked, they are not suppose to trawl over it, if it is properly marked, so that essentially closes a large portion of the area, but not all of the areas are properly marked.

Chairman Jones: I think that sanctuaries as indicated by, how old are you 71, is that what you said, a 71 year old fisherman that has been fishing for 60 years indicates that there is a real need. I have heard numerous reports that it is doing a great deal of damage to our marsh and then not to mention the finfish and it would only benefit the shrimp, shrimper himself. So, why do we keep dragging our feet on this. I mean, why is it that when Warren Pol, the first Commission Meeting I came to, Warren was talking and he said when are we going to get the shrimp sanctuaries. And, it is going to be right down the road, we are working on it and then he goes away and we are still talking about it. Why don't we do it, why don't we do it?

Brandt: Well, in order to establish sanctuaries, you are going to have to have a lot of support from the industry and a lot of other avenues.

Chairman Jones: Well, when we set hunting seasons, ...

Brandt: I understand that, but ...

Chairman Jones: We don't ask the hunter to set our season for us. We make our best decision on biological information that will benefit the resource and the user and we go with it.

Brandt: I understand that and we are working through the Task Force, and the Department is working to come up with some recommendations for the Commission to look at and ya'll are going to have to make a decision of whether you want to go to the Legislature with some type of ...

Chairman Jones: I think we have, do we have the authority to set sanctuaries right now?

Corky: I think you do.

Brandt: You do.

Chairman Jones: Okay, so the question is, why don't we do it. I would like for ya'll to come back with what you think the proposed areas for shrimp sanctuaries will be next month.

Brandt: That is what we are working on but what I am giving you is a time schedule that we are looking at ...

Chairman Jones: Well, I am giving you our time schedule.

Brandt: You want something next ...

Chairman Jones: I mean, we are the regulatory body and let them, I mean, how have we done with the Shrimp Task Force. I mean, we keep hearing that they are talking about it, how much conversation has there been concerning this.

Corky: Let's keep in mind, you bring up something you said Mr. Pol said at a meeting years ago. We are talking about a Task Force that started a year ago. You are talking about what this administration is doing.

Chairman Jones: No, I was talking about shrimp sanctuaries, not the Task Force.

Corky: Okay, but we are talking about sanctuaries, the proposal we are coming up with and what we are working on. We can give you suggestions next month, that is going to be contrary to what Mr. Jenkins has made two motions on. I think the only way to get sanctuaries is to have the public input. If you think we can, and I can give you a recommendation, which I may think is good and may be four of you will vote for it and then you talk about all heck breaking loose if the industry doesn't want it. We are dealing with people making a living, we are not dealing with somebody going hunting. Going hunting is very important, I love it too, and I agree with Mr. Bateman sometimes, sometimes I argue like heck with him, I don't like some of his recommendations. But I live with his rules. But we are dealing with an industry, we are dealing with a multi-million dollar industry and to get it to work, we've got to get to the public and get their support. Because if we don't get their support, it is not going to go anywhere and that is why the process is slow. I will be honest with you, we could call meetings, Mr. Jones, every night for the next week or two. It wouldn't be fair to the industry because they are out there shrimping right now trying to make a living, that is why the schedule is as such, to try and get it when these seasons are closed.

Commissioner Jenkins: Corky, two years before Dr. Clark left here, we were talking about sanctuaries, that has been three and one-half years ago, right?

Corky: Mr. Jenkins, that may be right. I was involved with sanctuaries in '72 and I am telling you what failed then.

Chairman Jones: What failed, what part failed? I am sorry, go ahead.

Corky: The public was not convinced of the benefits of sanctuaries and you may blame it on us in the Department, maybe we didn't do a good enough selling job, I am not, I don't know.

Commissioner Jenkins: I think the story you told me was, basically we got it all approved everywhere but in one parish, right?

Corky: Well, when we hit southeast Louisiana, that is when it was ...

Commissioner Jenkins: Okay, well anyway, you know, we have been talking about sanctuaries for all these years. We were going to wait, wait on a shrimp plan hopefully so we could use a criteria that would come from a shrimp management plan to establish sanctuaries. That was the story that I kept getting and for the last year and a half, we have been talking about trying to get some input from the Shrimp Task Force and every time I ask about it, they cancel the meeting, they change the Chairman, somebody didn't show up, they didn't discuss it, I mean they don't seem vitally interested in it. And, I am sure they would be if somebody would put it on the front burner. And, so, you know, maybe one way to get people's attention and I am not here to try to make anybody mad, but maybe if we say we're in favor of sanctuaries and we think this is what they ought to be, we will get some public input. We will probably get a hell of a lot.

Chairman Jones: What do you think, Tee John?

Commissioner Jenkins: What do you think?

Commissioner Mialjevich: Well, personally, I have been listening. It is more than shrimp sanctuaries. It goes a lot further than that. If you don't have the people participation, of course we don't want the tail wagging the dog, but if you don't have them, they know the places where the historical small shrimp are. They know where they can say, yes we should leave that alone, but I am not leaving it alone because the other guy is in there, you know what I am saying. And, I think we would come up with a better plan with what I see here on the back page, or if we want to follow what's here in the back page, where the people come up and you have a majority saying yes, we would like this closed and that closed and us just drawing the line because I agree with Corky, all hell would break loose if we just draw lines for them. And, if you really want something to work, you don't do like they did us with the turtles and the TED's, you got to do this or else. It came out ugly and now what you are trying to do with the finfish device is they are trying to work with the fishermen, develop things and make it like you are working together. And, I think if we would go and force something on the people, it would be just like the turtles and the TED's. Let's use the option of like we are going to do with the finfish excluder device and let's try to mesh it in and I feel there is a different climate now than 20 years ago. Twenty years ago we had natural sanctuaries, you know why? Because you couldn't get in there with a trawl. Now, there is another device and

then we had another device that came on the horizon when the Vietnamese people came over, a chop stick net. And, that would have went into the marsh quicker than the skimmers and the fishermen stood up and stopped it.

Commissioner Jenkins: Outlawed the gear, huh?

Commissioner Mialjevich: Outlawed the gear because it was going to get into our inner marsh, into our little bitty shrimp and we didn't want it. We've got nothing against sanctuaries, we've got nothing, we don't want to catch shrimp that we can't sell. You wasn't here at that meeting when I came with my leg all bandaged up from the operation when Bill Chauvin got up from the people that buy the small shrimp and said don't open it as early as they want because we are not going to be able to handle that small shrimp. The industry isn't out to destroy itself. I think we got to look at this, what's happening in our inner sanctuaries right now, what we would call a nursery ground and, hay, I know ya'll don't want to hear it, I know ya'll are tired of waiting, but my opinion would be, let's take the slow approach. By the worst that could happen would be March of 1994 and saying well, it didn't work and now we are going to draw the line from the north to the south right here and that is it, let's have public comments, 120 days from now, we got sanctuaries. That is the worst scenario we can have.

Commissioner Jenkins: Tee John, I don't have a problem with what you said except just one thing. We had this same discussion a year ago and we talked about this same time table that now is another year behind and it was the same thing. We are going to have this meeting, we are going to have this input, we are going to discuss these things and we are going to bring these recommendations. My question is, how do we urge these people to hurry up and do it. I mean, it has been ...

Commissioner Mialjevich: Well, you can't urge them because it's just like, Corky is right, hunting and fishing is one thing as a recreational device. When you are out there making your living, you better make it right now, you are not going to make it ...

Commissioner Schneider: Hey, I want to ... On behalf of Butch Bateman, I think hunting and recreational fishing is a lot bigger than the shrimp industry ever has been in this State. I am telling you it is worth more money than the shrimp industry. Butch Bateman almost had a fit back there, I want ya'll to duke it out.

Commissioner Mialjevich: Well, I am not saying what is the biggest, did I say anything about what is the biggest and the smallest. I am saying, I never said nothing about biggest. I said, it's one thing to do something for leisure, it's another thing to have to go to meetings when it is taking away from your living. Now, you understand?

Commissioner Jenkins: Yes, but haven't we gone through a period in the last year when they weren't fishing?

Commissioner Mialjevich: But the Task Force ...

Commissioner Jenkins: ... and discussed these.

Commissioner Mialjevich: Well, they never had an outline like this with months and the minute we see they miss one of these meetings, then we can come back. We have meetings every month.

Chairman Jones: Okay, I am not in disagreement with you. I guess I feel like that we probably need to work to lead them forward and after four years here and hearing it every time, I would like to see what the Department's recommendation will be and wait for the input from the shrimper. I think, let's get something on the table before you can bargain. You know, let's get something on the table to hear some public input.

Commissioner Mialjevich: Well, you know what ...

Chairman Jones: So, in other words, what do you think Corky and the guru's of the shrimp should be our sanctuaries and I would like to know what they are.

Corky: Sanctuaries are just one possibility, there are a lot of other things, license ...

Chairman Jones: Well, give me what it is, give me what it is.

Corky: License restriction, shorter seasons, closed areas for certain period of time.

Chairman Jones: I mean, we just had a lifetime fisherman tell you that he thinks it is being serious problems in the marsh, they are going unattended and he is not blaming anybody. I mean, you know, he is not pointing out any one person and you have already indicated that you think it would only benefit the industry. John behind you is shaking your head no.

Corky: It could ...

John Roussel: I just want to make one statement.

Chairman Jones: Yes, John.

John Roussel: And, I think Brandt covered it. The discussion, the recent discussion the last couple of minutes is based on the assumption that sanctuaries are all good. Brandt in his outline indicated that there are draw backs. If you go into this process with the assumption that sanctuaries only do good things, well then I think ya'll have a legitimate argument. But I think you must stand back and recognize that there are some draw backs.

Chairman Jones: Okay, and you think it is to the positive side or to the negative side, sanctuaries?

John Roussel: And those have to be ... It depends who you ask.

Chairman Jones: I am asking you, I am asking you as a biologist with the resource in mind.

John Roussel: I think if you ask a hundred shrimpers ... to limit it only from a biological perspective, I think no one out ways the other from a biological perspective. If you want to address it from an economic perspective, it depends whether you are a small boat shrimper, a Gulf shrimper or a big bay shrimper, they are all going to answer different. From a habitat perspective, they are probably beneficial. You are not going to be disturbing the shallow water areas. So, it depends on what perspective you want to address it from and this is, sanctuaries involve a lot of different things. It is not only shrimp, it is people, it's fish, it's habitat, there is a lot of different things that go into that equation.

Chairman Jones: Thank you John.

Commissioner Jenkins: Mr. Chairman, I would like to ask you a question, please sir, and Tee John maybe you can answer this too. There is a, there is a conflict of interest even in the shrimping industry with all the different user groups, you have a number of user groups that are interested in fishing in different areas and whatever. And, one of the reasons I thought maybe we ought to come up with something is, and ya'll tell me, do you think that you would ever get a diverse group to sit down like that with all the different interests they have and come up with something they can agree on like this. I mean do you think that would ever happen?

Corky: That is what we are doing now.

Commissioner Jenkins: Yes, but do you think it would ever happen now?

Commissioner Mialjevich: Well, you have to try.

Corky: That is why ...

Commissioner Jenkins: I know, but do you think the majority of the people ...

Commissioner Mialjevich: I think there is a different climate now.

Commissioner Vujnovich: I sincerely think that right now you have a better than 50% chance of doing that because I listen on the radio when I am out on my boat and all the shrimpers are complaining, I can't make it, I can't feed my family, and now they know that something, they are doing something wrong. And know is the time to take action and you will get a lot of these people on our side to protect the industry for the future. I maybe wrong but I know plenty, plenty of them are even talking outlaw the skimmers.

Corky: That is why there is such a great difference of opinion on that Shrimp Task Force because the Louisiana Shrimp industry is as diverse as any fishery in this country.

Chairman Jones: So there is no traditional fishery?

Corky: Well there is a traditional fishery, the traditional inside shallower water shrimp fishery, but today, we've got the offshore big boats,



we've got the shallow water offshore boats, we've got those in and out, we've got platforms, we've got skimmers, we've got from what use to be a canning and drying shrimp fishery to frozen shrimp, heads on, heads off, you name it, we've got it all in our fishery. And in spite of that, in spite of what you hear individually, over all we have increased and when I say we, shrimp production over the years has increased for a heck of a lot of reasons. Some say the reason it has increased is because of the marsh breaking up, we have more edge effect. That may or may not be true, so if that continues on, sooner or later, we are going to end up with more water than marsh interface and then everything may go to heck. So that is one of the big things with coastal vegetative wetland restoration.

Commissioner Jenkins: Has catch per unit effort increased?

Corky: Mr. Jenkins, probably I would say no, not, no. I would say no.

Commissioner Jenkins: So, if it hasn't that means that it is a good possibility you've had a hell of a lot more effort, right?

Corky: Oh, absolutely, there is no question about the amount of effort, there is no question about the more efficient net types. Tee John can tell you today the webbing is much better webbing than they had to use 20, 30 years ago and so on, horsepower, a number of factors. But by in large, if you look at shrimp production by state gulfwide, Texas is basically flat, Mississippi, Alabama and Florida is down, Mississippi and Alabama is flat, we are still on an increase and everybody has been selling more licenses except in the last few years shrimp license sales by the states have gone down somewhat. There is probably a lot of reasons, possibly one of the big reasons is the mandatory use of TED's, it got rid of some of the people in the business. Mr. Cormier, did you have a question?

Commissioner Cormier: Well, I wasn't going to ask a question as much as I was going to ask the Chairman. Mr. Chairman, I somewhat agree with Tee John that we don't have much time left and if the Task Force is in agreeable, Mr. Savoie, to keep us abreast, we as the Commission can see to it that they maintain this schedule. If we see them slacking in any way, Mr. Chairman, then we can act according to what you want. Maybe that will be something to keep their foot to the fire, is what I am trying to say. If he agrees to keep us abreast on their progress.

Chairman Jones: I understand, but I would still love to have, I mean eventually ya'll are going to have to give to the Shrimp Task Force what your proposal is, is that correct, yes or no?

Corky: Yes.

Chairman Jones: Okay, then I would love to see it.

Commissioner Mialjevich: Me too.

Commissioner Cormier: Okay, that is what I am saying, Mr. Chairman.

Chairman Jones: I mean, I am not interfering with that, I am just saying I would like to see what the Department would propose because once again, I don't think we ought to be user driven, I think that we need to be resource biologist driven to make these type of decisions. I mean, that is where I am coming from, I mean, I can't go to the hunters, I am using this as an analogy, and tell me to set the hunting seasons. I've got to go to Mr. Bateman's crew and say, when should it be within these parameters taken into account the user groups are the people out there that want to utilize this resource. Same way with the shrimp. But first he has got to tell us what its suppose to be or your group. I am not pointing at you, I am just saying that ya'll have got to come up with what you think is best irregardless of what the industry is doing. I think that you need to say this is what we want to do and then let them shoot at you.

Corky: That is exactly what I think we are doing.

Chairman Jones: Okay, then I would love to see it.

Corky: A biological aspect is one thing, I can draw, we can draw lines but unless those enforcement guys have a reasonable opportunity to enforce those lines, it is ...

Chairman Jones: I am sure that they will help you. I am not, I am sure they are not arguing with you, so I would love to see what your, I mean, according to their, according to your schedule, Brandt, that ...

Commissioner Cormier: October is the next meeting, finalizing goals and objectives in the plan. I am assuming, Mr. Chairman, Corky ...

Chairman Jones: I mean if they did it right now, they would be coming in there, I mean, that wouldn't even but one, two, three, four months for them to approve or look at these things before the legislative session kind of got kicked up for bills and things like that. So, I mean, we are almost too late already, aren't we?

Corky: Again, I don't know if there is any mad rush for any major deviation ...

Chairman Jones: There obviously isn't.

Corky: Well, I am serious. I mean, we may ...

Chairman Jones: Oh, I am too.

Corky: We may and you, we may recommend something, you may approve it and if the industry doesn't like the first thing we are going to have is a bill at the Capitol that is going to do away with us having the authority or you having the authority to do that kind of thing.

Chairman Jones: I am not arguing.

Commissioner Jenkins: Listen, that is okay with me Corky.

Corky: I can understand that.

Commissioner Cormier: But Corky, if it is my understanding, these groups that we are talking about, they are the actual

Corky: Fishermen.

Commissioner Cormier: Fishermen, etc. They are not the biologists. They actually take advice first off, recommendations from you and they determine whether they got some objections to it.

Corky: They may listen, they don't always follow.

Commissioner Cormier: Well, all I am saying is you are the one, I am assuming you are the one ...

Chairman Jones: That is my point is that I think we need ...

Commissioner Cormier: And that is what the Chairman wants, he wants the Department to make the recommendations and ...

Chairman Jones: I would like to give them what it is that you want to give them. I mean, we have been working on it for 20 something years, we ought to have it by now, isn't that, or was it longer than that, Joe?

Secretary Herring: I was just telling Tee John, I was talking to a guy the other night that has been in the business, the shrimp business for 55 years on a biological and statistical basis with the Fish and Wildlife Service, National Marines and what have you. And he was saying, you know we talked about this when Nelson Gannonlock was head of the Department and how long ago was that? Nelson Gannonlock has probably been dead 30 years or 40, so I mean this is something ...

Corky: If it was easy, it would have been done.

Secretary Herring: Yes, this is something that is nothing, I mean, it has been talked around for 50 years here that we know of and it has been recommended ...

Chairman Jones: Yes, but the problem has been ...

Secretary Herring: Wait I am just saying, you asked me how long ...

Chairman Jones: No, I know, I guess ...

Secretary Herring: I am just telling you what he told me the other night in a conversation with him that this has been around recommended and talking for over 50 years. So, I don't know, I mean, it is still here and ...

Commissioner Jenkins: We put in on the agenda, they make a recommendation and we approve then let the public start chewing on it. It's dynamite.

Corky: Well, I've got a Shrimp Leader that says he doesn't know if he would recommend sanctuaries. So you see there is some difference of opinion. But the goal is to reduce pressure on juvenile shrimp and there are a lot of ways ...

Chairman Jones: And, and I think we need to add, not deteriorate the marsh and not to destroy juvenile finfish. I think that is what a sanctuary is.

Commissioner Mialjevich: But you would have to look at the device.

Chairman Jones: I mean, taking care of the little bitty babies.

Corky: Well, you know, that, we had quite a discussion at the Shrimp Task Force about sanctuaries and they said, okay, shrimp sanctuaries, we've got 286,980 acres of the shrimp sanctuaries today. But yet cast netting is allowed, so they say that is not a true sanctuary. Our recommendation is no cast netting either now, that includes Rockefeller, as an example. I am sure Mr. Tarver wouldn't want to recommend that there be no cast netting on some of those areas. But if you want to make it a true sanctuary, then there is no netting of any type. But, this is one of the, again another opinion from people in the shrimp group. I don't think I would want to recommend that those areas not be allowed, I think they allow 25 pounds a day or something like that. I don't, well, anyway.

Chairman Jones: Tee John, go ahead.

Commissioner Mialjevich: The thing that I am looking at is, are we going to look at the environmental problem or whatever with the habitat, with shrimping and use that as the key phrase. You have to look at the device.

Chairman Jones: I am not, I am not suggesting that, yes ...

Commissioner Mialjevich: You have to look at the device that is used to harvest the shrimp.

Chairman Jones: I am in total agreement.

Commissioner Mialjevich: With trawling might do something here, it can't do anything over there because you can't pull a trawl. So there is another device used over there that might have a problem that trawling with a trawl has nothing to do with or vice versa. There is a difference in finfish catch, I hear. But the thing is, we already heard, it is going to be a very complicated thing, it's going to be more complicated than hunting with dogs and not hunting with dogs, if you understand what I am saying.

?: You don't know that yet.

Commissioner Mialjevich: So, the thing is, if we are going to have to help enforcement enforce it, and this is going to be one of my goals, I talked to Mr. Cormier about it when we had lunch, was we are going to try and work better with the Coast Guard because they need our help and we need theirs. And, Enforcement needs our help, but we are going to have a law that is going to cover such a vast

areas, that they can't be everywhere but we are. And, if we instituted into the people that we are doing something to help them and they see Johnny over there breaking the law and it's taking food off of their table, they are going to be dropping a dime like the 1-800 number and then Enforcement has some help. Then it's an enforcement and us being what I coin the phrase, I hate to put it because it will probably end up in the papers Tee John says, Enforcement is the enemy of the fisherman. If it is in someone's mind, it shouldn't be. We should be working together because Enforcement isn't there to put us out of business, it's to help keep us in business with a level playing field where we all have a set of rules and laws and regulations and we all live by it, that is all we want. And, so if we are going to do something, let's try and get the cooperation of the fisherman and if we can't get it, well then, whatever happens. But I wouldn't want to get them angry from the start about something when we've got something handling it already that we can follow. That is what I am saying. I guess I would go a little step further and say, if we want to really come out with a reasonable plan that would be accepted and that would have good input and a workable plan with enforcement by peer pressure and everything, you almost have to do it the way the Shrimp Task Force lined it up. I think they have an excellent plan, I don't see any flaws in it unless it breaks down and they don't have any more meetings. And like I see, the worst we can end up with is March 1994, we go ahead and say, here it is, that is the shrimp sanctuary, 120 days from now it's going to become law. That is the worst I see happening.

Chairman Jones: Okay, so you are saying ...

Commissioner Mialjevich: Let's follow them closely, the Shrimp Task Force. As a matter of fact, ya'll ought to let us know when the meeting is and we will go to some of the meetings. Are we getting the minutes of the Shrimp Task Force?

Corky: I thought you were.

Commissioner Mialjevich: Well I think it should go to all the Commission members, I mean we want to get involved. Let's start getting them and notices.

Corky: Let me ask Brandt a question, I don't know if I was there, did the Shrimp Task Force, what have they done with sanctuaries, have they endorsed the concept and we are showing them actual areas now?

Brandt: The Task Force is considering sanctuaries as one option. That is the key, it's just an option ...

Commissioner Mialjevich: It might not be viable.

Brandt: ... to protect juvenile shrimp. Part of the process of going to the public hearings, is they may come out of that process with an understanding that there is a better way of managing those juvenile shrimp than going with sanctuaries. That is why I told Corky I am not prepared to say that we need to go to sanctuaries today. I can bring you some maps at the next meeting with the areas that we would consider to be where you would want to put sanctuaries in. But that's not an endorsement of sanctuaries. There are a lot of other things in the shrimp plan, as you will see in the outline, it has listed 8 options there that can accommodate that sort of protection. You know, we are doing a very good

job of protection of juvenile shrimp by the way we set our season dates, we may want to look at that a little closer. There are other options. The Task Force is considering sanctuaries as one of the top options and they are approaching it from the standpoint of going to the public hearings with the intention of drawing areas out as sanctuaries. If those public hearings result in something else, they may abandon that idea. But they are going in with the intention of establishing sanctuaries. But that is not hard and fast.

Commissioner Jenkins: Let me tell you my little history here. The idea of trying to get the shrimp plan, the Shrimp Task Force and all of that stuff it was involved in, some criteria for sanctuaries, we wanted for years and years on it. Maybe what we ought to do is maybe the Commission ought to consider sanctuaries other than for just shrimp, maybe for other reasons like environmental and habitat and other reasons. If we are having the habitat destroyed, whether it affects shrimp or doesn't affect shrimp, it affects the habitat and it affects other marine life, maybe we ought to independent of the shrimp concerns, be concerned about it for other reasons, you know?

Brandt: I understand that.

Commissioner Jenkins: And, in that case, we don't have to wait on them.

Brandt: That is correct.

Commissioner Jenkins: And we could go off on our own.

Brandt: But to that process ...

Commissioner Jenkins: So, maybe we could put a little item on next month that says, ya'll come up with some recommendations on sanctuaries for habitat purposes, you know.

Brandt: But to that process, I think you would have to involve a lot more people than just the Marine Fisheries Division looking from the standpoint of shrimp sanctuaries. What we have been doing and what I am giving you ...

Commissioner Jenkins: I am not talking about shrimp, I am not talking about, forget shrimp.

Brandt: What I am giving you is what the Task Force is doing in the area of shrimp sanctuaries. If you want to expand that to finfish, we would bring in the finfish people, the habitat people, whatever other reasons. What we are presenting today is what the Task Force and what the Department has done in an effort to protect juvenile shrimp populations, nothing else. You may have some ancillary benefits from doing that but that is no guarantee. There is no guarantee ...

Commissioner Jenkins: Well, if that is your answer, if that is your answer, you have already said in here it doesn't do anything for the shrimp, so why do we need shrimp sanctuaries?

Brandt: Because a lot of the people in the industry have expressed an interest in it and we feel that if you did limit the access to some of those shallower areas, we would meet the goal of the shrimp plan by increasing the economic benefit to the state because a lot of those shrimp would be worth more money when they reach the bay. No guarantee, but we think they will. And, we're working under the premise of trying to achieve the goal of the shrimp management plan and the goal of all of those publications we worked on in the 70's which was to allow those juvenile shrimp to reach a larger more valuable size before they hit those bays. Those shrimp may move out into those bays at small size and we may still get small shrimp. But we think that that's the way to increase the economic benefit. What I am telling you is that through these hearings, we may find that the industry could support one of these other eight options or some other option we haven't even considered yet to do the same thing. Now if you want to look at habitat and finfish and a lot of other things, I think we need to bring in some more people ...

Chairman Jones: I go back to my original statement concerning this and that is, okay so maybe you don't think sanctuaries is the way to protect juvenile shrimp and maintain the integrity of the marsh and maintain the decline of small finfish, but what is it that the Department is willing to say, you know, this is what we think needs to be done. Somewhere ya'll have to come forward.

Brandt: Well that is what I think we are in the process of doing now.

Chairman Jones: I mean, it has been 30 or 40 years, I mean, sometime ya'll have to take a stand, I mean, you do ...

Brandt: I haven't been doing it for 40 years.

Chairman Jones: I understand shrimp not having bones, but somebody's got to have ...

Corky: I'll take a stand.

Commissioner Jenkins: Wait, Corky's going to take a stand.

Corky: I'll take a stand. We are the only state in the Gulf showing an increase in production in spite of increases from pressure from users. It has been similar in all states. I think we have done a hell of a good job, the technical staff and the Commission following the recommendation. If I were the shrimp czar, I have things up here that I think could be done that would be better. There is nothing magical, in my opinion, about a hundred count shrimp. But you try and set a brown shrimp season on a 60 count or a 50 count or a 90 count and it may, and from an economic standpoint possibly we could have a tremendous increase in economic value but you would disrupt the entire industry because 80% of the vessels are under 30 feet or under 32 feet or so. That is, it's just an extremely diverse industry.

Commissioner Vujnovich: Bert can I add one thing?

Chairman Jones: You bet.

Commissioner Vujnovich: Corky, you know, we had two freshwater diversions in the Barataria Bay estuary that was started in January. (Corky: Yes, sir). And, I was, when I was a youngster I was raising oysters, a shell trowel from the Gulf of Mexico. As the years progressed, I had to move to the Mississippi Levee so that I could survive and stay in the oyster industry. Well, these two freshwater diversions plus that the river was high has backed my area at least by 30 years. I have mussels in my areas right now, that's nothing that, oysters are starting to look like a bowling ball. And the marsh, there is no word that can express what my eyes see. The marsh is green, it's beautiful. When I was fishing in Bayou (?) last year, I seen nothing but open areas just like that isle there, the isle here. Today, I fish the same area, I don't see anything. I just see nothing but beautiful grass. So, these freshwater diversions are going to change our estuaries, now I don't know if it is for the good or for the bad, but we are going to have a change. And, that is one thing we should watch.

Corky: Yes, well, I think you are right. I think, I think these controlled water introduction is going to have tremendous impact. That is one of your, one of the options in the shrimp management plan and certainly something that we've endorsed as a control introduction, though there will be some fisheries displaced. They guy with the oyster leases that may be close by, he is going to be impacted in a negative fashion, those on the far end are going to be impacted in a beneficial.

Commissioner Vujnovich: I'll tell you a story what happened to me. Three or four months ago I went to look at an area where the oysters use to grow natural 20, 30 years ago. And, for the past 15 years, there was no oysters there. When I threw the dredge in the water and when I picked it up, I just couldn't believe it that in six months time that that would happen on that oyster lease and that is from the freshwater.

Corky: Yes.

Commissioner Vujnovich: So, some place you lose, some place you gain.

Corky: But, overall.

Commissioner Vujnovich: Overall it is going to benefit the seafood industry and we are going to put a better product on the market, it is going to be tastier, better and we will survive. My sons have a chance of surviving and my grandchildren. But without the freshwater diversion the way we were going, 20 years from now we would have to plant oysters in the Mississippi River and that was it. And, now we got a good chance.

Corky: I hope so.

Commissioner Vujnovich: People in the industry are very against it but I am not because I knew what happened in 50 years and another 20 or 30 years, our marsh would have went and that is it, so we have a fighting chance now.

Corky: Yes.



Commissioner Mialjevich: Corky, with this, I know we are talking sanctuaries and that now, but you know when I was on the Shrimp Task Force years ago, larger webbing would do the same thing as the sanctuary, wouldn't it on shrimp growing to a larger more valuable size?

Corky: Yes, if you could have much of a change. But I think the chance of any significantly increased webbing is probably, would probably be extremely difficult. I think what, we had a bill last year that passed that increases the size, is that in effect this season or next year?

Brandt: No, 1994.

Corky: Any way, so, for the fall season there will be an increase webbing which should peruse a ...

Commissioner Mialjevich: And also if you have a bad shrimp year the majority of these people that are using the skimmer type nets, are they full time commercial fishermen or what? Do we have any data on that because I tell you, down by Marrero I see them on the side of the road for sale, for sale, for sale.

Corky: There is a lot of part timers.

Commissioner Mialjevich: And a bad season kind of bleeds them out, then they get back in on the good season. I mean if just half of them drop out in a bad season, it does more than a sanctuary would ever do. I am just trying to draw an analogy, a TED wasn't the answer to saving the turtles solely by itself and a sanctuary isn't going to save anything solely by itself. You know, did we ever do any, any shrimp, I don't know how you call this, when the shrimp goes through the webbing, it is too small.

Corky: Yes, survival?

Commissioner Mialjevich: Survival, what is the survival rate of shrimp that would pass through webbing, you know?

Corky: I don't know.

Commissioner Mialjevich: Nobody ever did anything, Tennessee, Alabama?

Corky: I honestly don't know, John you know that?

Brandt: I don't think you are going to be able to get that kind of information. For one thing, if you do anything in a controlled environment with webbing, it changes what would happen in the natural environment and you couldn't use anything like camera equipment because the areas that are clear enough to film something, you don't have any shrimp in it.

Commissioner Mialjevich: We found that out with the turtles.

Brandt: Yes, we found that out with the TED's.

Commissioner Mialjevich: I have one question on the negative impacts that you gave us on this three page handout, number H, increase in juvenile finfish and crab populations may have a negative impact on juvenile shrimp populations. Would this also hold true for an increase in adult crab and adult finfish populations?

Brandt: I am sure it is, what we were thinking about in that, in those shallow water areas as those post larval shrimp move in there, all of those finfish and crabs are feeding on those things. So, if you have those things protected and you get a larger population of those juvenile finfish and crabs, you are going to have a higher predation on those post larval shrimp as they move into the shallow waters. I'm sure the same thing is true of any adults that transfer into the population in the larger bays. The adult finfish and crabs would feed more on the larger shrimp that move back out into there. So, you have, you know, you could have a negative impact from that standpoint.

Commissioner Mialjevich: Because you know, just like we heard a while ago, it was great to increase the license fees to make more money for Enforcement, then we got people from Toledo Bend saying, whoa, you didn't figure the side effects out. And here we are talking about sanctuary, sanctuary, I am saying whoa! Let's look at the side effects also here because I wouldn't want to pass on anything, whether it be hunting, recreational fishing, commercial shrimping or oystering, where we think we are doing something and we come back six months later and we get our head beat up against the wall that we didn't thoroughly look at it. And, I am hoping in these hearings that ya'll are going to give this thing microscopic scrutiny.

Brandt: I hope so too. If you look at those negative impacts, you will see a lot of them refer to displacing a whole segment of the fishery. Is that economically better to put all of those people out of business. It is going to put a lot more people in the larger bays, you know, if your catches were 100 pounds an hour with 100 boats, you might go to 200 boats and your catches goes down to 50 pounds an hour. Is that, you might a little more money for the size of the shrimp, but you may lose money because you are catching half as much shrimp. So, there is a lot of things to look at and that is why I am saying, we are not convinced that sanctuaries are the absolute thing to do. That is why we want to go through this public hearing process, get some input, use the Commission's input, the Department's input, the Task Force's and the public and see, maybe we can come up with something that is better than a sanctuary.

Commissioner Mialjevich: So, it isn't the only management tool we are going to be looking at?

Brandt: That's correct.

Commissioner Mialjevich: But it is one?

Brandt: It's one.

Commissioner Mialjevich: You know, because I envision maybe it might not be as extensive, sanctuary systems as Mr., Representative Morris Lottinger had proposed way back in the early 70's. But something might be workable. That in

connection with seasons and webbing sizes and counts and etc., you know. It has got to be more than just one answer because if sanctuaries was the answer after 40 or 60 years, they would've did it already is my point.

Brandt: Yes, I think so too.

Chairman Jones: Have ya'll ever seen one of those shore birds when the waves come in, they run up and down with the water? That is kind of what I feel like we are doing here, you know. Somebody has got to be a cormorant, somebody has got to jump in, I mean, somebody has got to make a decision and go for it.

Commissioner Mialjevich: I think the Task Force has.

Chairman Jones: Okay.

Commissioner Vujnovich: So, we got four months to wait.

Chairman Jones: So, we got four months to wait. So in other words

Commissioner Mialjevich: We got until the next meeting to wait, that's all.

Chairman Jones: When is the next Shrimp Task Force meeting?

Brandt: It was scheduled for around the end of October, but scheduling conflicts, I think, we pushed it until the first week of November.

Chairman Jones: Oh, okay, so we have another month before we even meet.

Brandt: No, not another month, one week.

Commissioner Mialjevich: One week.

Brandt: I think, what is it the 6th of November, Corky had it on his calendar.

Chairman Jones: Who sets the meetings?

Brandt: Generally they vote their own meeting.

Chairman Jones: Who does?

Brandt: What we did ...

Commissioner Mialjevich: Subject to availability of a room.

Brandt: Right, subject to availability of the room. What they wanted was a meeting around the last week in October and when we called to get the room, we couldn't get it until the first week in November.

Chairman Jones: What room was that?

Brandt: This, they meet here in the Louisiana Room.

Chairman Jones: How many people normally come to the Shrimp Task Force meetings?

Brandt: Public or the members.

Chairman Jones: Well, average attendance, all total?

Brandt: Probably 40 or 50 people.

Chairman Jones: 40 or 50 people?

Brandt: We got 18 on the Task Force, 16 or so show up at the Task Force and then we might, it depends on the subject, sometimes we ...

Chairman Jones: So, we have been getting a quorum?

Brandt: Yes, they have gotten a quorum.

Chairman Jones: I mean we went for 4 or 5 months without a quorum didn't we?

Brandt: No, they didn't schedule a meeting because of the opening of the shrimp seasons and the first meeting scheduled in between the seasons, we had a problem with not having a quorum and the next meeting was scheduled for August and we had a quorum in August. So, actually we only had one meeting that we didn't have a quorum in the last few months. But we did have a couple of months that they didn't meet because of shrimp season had just opened and they were afraid everybody was going to be working and nobody would come.

Commissioner Mialjevich: Let me ask Mr. Bateman, Mr. Bateman, a while ago when I was talking about the meetings, what did I say to upset you, or Mr. Schneider, when I was talking about the recreational and the hunting people can have a meeting because, you know, it's a sport or whatever you want to call it. The other people, they don't have to leave their job to come to the meeting. You know, but we have to understand some of the reason for these people not having quorums at meetings is, when they come in with a big boat, they got a day they lose to come in, a day at the meeting and a day to go back out. So, they are losing three days of work and that wasn't to be little hunting or recreational fishing or anything, I was just trying to draw an analogy and maybe I drew it too quickly or wrong in my choice of words. You know, because I mean it don't do no good to have a meeting if nobody shows up where they can't because man, this is a terrible shrimp season. I was asking Corky, where's our shrimp when we have the (?). Why do you need a shrimp plan or sanctuary, ya'll are going to be out of business, you know, so we might cave in on ourself and it would be mother nature, nothing that nobody ...

Chairman Jones: That would be a terrible existence, because I like eating them too much.

Commissioner Mialjevich: I know, I use to like catching them, but it ...

Chairman Jones: Alright, I still go back to my original statement, somewhere ya'll have to come up and tell them what you think your proposal is.

Brandt: We are going to present a proposal to the Task Force, that is what we are working on with LSU's ...

Chairman Jones: When is that going to be?

Brandt: That is going to be at the November meeting.

Chairman Jones: Okay, so you could give it to us next month?

Brandt: Well, the Task Force requested that through the LSU staff. We are working with them.

Chairman Jones: Okay, well we will request LSU staff and you to come up with a recommendation that ya'll are going to give, is that possible?

Brandt: Can we give them the recommendation before the Task Force looks at it?

Chairman Jones: Why not?

Brandt: I suppose we can.

Corky: I have no problem.

Brandt: I have no problem with it.

Chairman Jones: We are certainly a better vehicle to get it to the public than what the Shrimp Task Force is because I know Joe, you are here every time, so in other words, we don't see much written about the Shrimp Task Force in the paper, I don't think, do we John?

Brandt: Well, let me explain something to you. What I am going to do is, I am getting with the staff of LSU and we are going to present something similar to what I gave you today to the Task Force because they are going to develop their own goals. What I would like you to do, if you could, is give us a clear statement of what you would the goal to be and I can present that to the LSU staff and to the Task Force and see if they want to make that part of their goal. Your goal can be different than theirs. What we have on the first sheet of there is what we consider to be the goal of shrimp sanctuaries and I have added to that Mr. Jenkins' suggestion that, it is also to prevent possible damage to other marine life and habitat, is the way I have that added to that goal.

Chairman Jones: I agree.

Brandt: And that's, if that's the wish of the Commission, we will state that as your goal and present that to the Task Force and ask them for consideration including that in their goals and objectives.

Chairman Jones: Okay, well as a Department, with those goals in mind, would you mind giving us what you would suggest would be the sanctuaries?

Brandt: At the next meeting?

Chairman Jones: Yes.

Brandt: We can show you a map of the areas that we would consider sanctuaries then.

Chairman Jones: Okay, at the next meeting, I would like to have the Department's recommendations with these goals and objectives in mind as what they would suggest would be the future sanctuaries for shrimp. Is that a problem?

Brandt: No.

Corky: Oh it is a problem but we'll do it.

Chairman Jones: It's a problem? Would you say it's improper, I don't want to be improper?

Brandt: No, I would present it in the light that these, we can show you the areas that we think should be considered as sanctuaries.

Corky: We will have something.

Brandt: We can have that map with those areas outlined.

Chairman Jones: Okay, and this more than likely, if these goals and objectives remain the same will be what you present to the Shrimp Task Force in a week following that?

Brandt: That's correct.

Chairman Jones: Okay, so I mean, surely you'll have what you want any way by then, so it's not like I am asking you for an unusual request.

Brandt: I hope so, no, no we are working on that now.

Chairman Jones: We have been working on it for a while.

Brandt: We have been working on it for the whole time and we are going to keep working. We will keep working.

Chairman Jones: And, I can appreciate that because, you know, our goals and objectives may change. But I think the dynamics of it have become increasingly important because of just the mere fact of what Captain Pete said that the automation in our manner in which we take and just the capabilities that we have expanded, I think that these things are of increasing importance. And, I want to see something, I mean, I have only been here four years and I have been hearing that it's coming. So, next month, the Department's recommendation for shrimp sanctuaries as the objective of keeping pressure off juvenile shrimp, not

destroying the habitat and not destroying juvenile or other marine life is coming, is that right?

Brandt: That's the way I have it stated here, what ya'll wanted as your goal.

Chairman Jones: You bet, I want you to take the lead, I mean, I am really being serious on this, I don't want to be user driven. I want the Department to suggest because, I mean, that is why we are here. I mean you are here to tell them, you are not here to react to what they tell you, you are here to tell them what you think is best.

Brandt: Well, we would like their input along the way.

Chairman Jones: I am not arguing with that, but you are here to tell them what you think is best.

Brandt: We'll have something.

Chairman Jones: And, if I am wrong, I need to be corrected.

Brandt: We will have something for you at the meeting.

Chairman Jones: Thank you.

Brandt: Thank you.

(End of discussion on Shrimp Sanctuaries)

RESOLUTION

MENHADEN SEASON

WHEREAS, menhaden are managed cooperatively by Gulf States Marine Fisheries Commission, so as to facilitate complimentary management regimes for interjurisdictional fisheries along the Gulf Coast, and

WHEREAS, the Gulf States Marine Fisheries Commission unanimously recommended implementing a change in the season to run through November 1 of each year, and requested that each state enact this change, and

WHEREAS, maintaining a consistent season throughout the range of the fishery over the Gulf will assist in the goal of managing the stock as a unit over its range, and

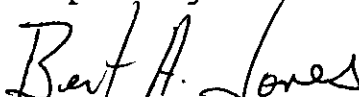
WHEREAS, in recent years, effort in the fishery has declined, due to reduction in size of the fleet, inclement weather, and hurricanes, and

WHEREAS, scientists of the National Marine Fisheries Service have reviewed potential effects of season extension, and concluded that the current stock of menhaden in the Gulf is quite healthy, and will not be adversely affected by this change,

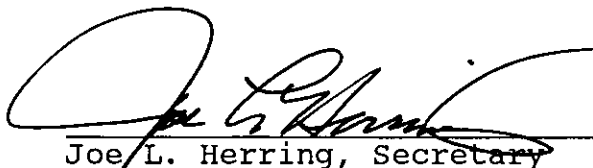
THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does ratify this Rule amending the season for the taking of menhaden as well as the processing of menhaden from Louisiana waters.

BE IT FURTHER RESOLVED, that the complete contents of the Rule are attached to and made part of this resolution.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this rule.



Bert Jones, Chairman  
Wildlife and Fisheries Commission



Joe L. Herring, Secretary  
Louisiana Dept. of Wildlife and Fisheries



## AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LA  
September 2, 1993  
10:00 AM

1. Roll Call
2. Approval of Minutes of August 5, 1993
3. Report on Cormorants in the State - Jimmy Jenkins/Corky Perret
4. Update on Hypoxic Area off Louisiana Coast - Tee John Mialjevich
5. Aircraft Report - Lee Caubarreaux
6. Declaration of Emergency for Duck, Goose and Coot Hunting Season Dates - Robert Helm
7. Wild Louisiana Stamp Administrative Rules and Policy - Gary Lester
8. Notice of Intent - Change Alligator Rules to Comply with Statute Changes - Johnnie Tarver
9. Declaration of Emergency - Set Trapping Season - Johnnie Tarver
10. Discussion of Mussel Plan - Bennie Fontenot
11. Ratify Menhaden Season - Harry Blanchet
12. Notice of Intent - Commercial Fisherman's Sales Report Form - Joey Shepard
13. Notice of Intent - Dealer Receipt Form - Joey Shepard
14. Discussion of Shrimp Sanctuaries (Informational Purposes Only) - Corky Perret/Brandt Savoie
15. Civil Restitution and Class 1 Update - Wynnette Kees
16. Discussion of Non-Resident License Fees (Informational Purposes Only) - Fred Prejean/License Section
17. Monthly Law Enforcement Report/August - Winton Vidrine
18. Secretary's Report to the Commission - Joe Herring
19. Set December 1993 Meeting Date
20. Public Comments

**COMMISSION MEETING  
ROLL CALL**

Thursday, September 2, 1993  
Baton Rouge, LA  
Wildlife & Fisheries Building

	Attended	Absent
Bert Jones (Chairman)	<u>✓</u>	<u>  </u>
Jimmy Jenkins	<u>✓</u>	<u>  </u>
Perry Gisclair	<u>  </u>	<u>✓</u>
Tee John Mialjevich	<u>✓</u>	<u>  </u>
Joseph Cormier	<u>✓</u>	<u>  </u>
Jeff Schneider	<u>✓</u>	<u>  </u>
Peter Vujnovich	<u>✓</u>	<u>  </u>

Mr. Chairman:

There are 6 Commissioners in attendance and we have a quorum.  
Secretary Herring is also present.

# THE DOUBLE-CRESTED CORMORANT STATUS IN NORTH AMERICA

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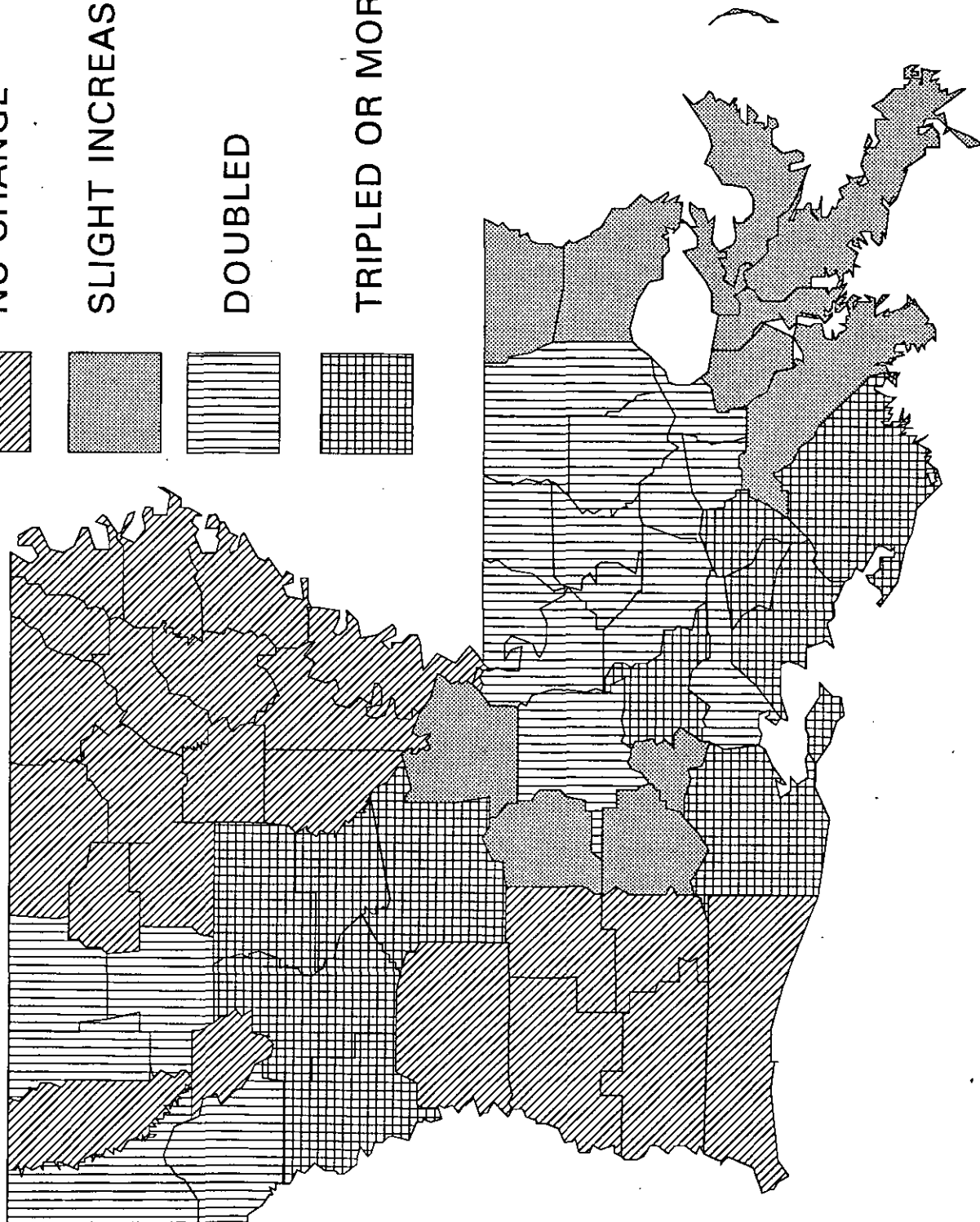
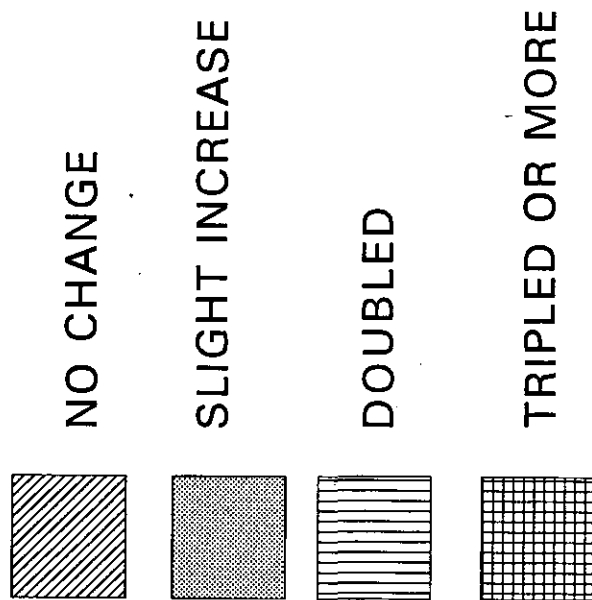
- ▶ The double-crested cormorant (DCC) is one of six cormorant species found in North America.
- ▶ The DCC population has increased to an estimated 300,000 individuals in the last 10 years.
- ▶ Approximately 120,000 DCC migrate to the lower Mississippi Valley and that number may be increasing by 20,000 each year.
- ▶ The DCC has benefitted from water management and aquaculture practices, reduced levels of pollution in the Great Lakes, and relief from destruction of eggs and chicks by fishermen.
- ▶ The natural history of the DCC allows this species to utilize a diverse and abundant food resource, to adapt efficiently to changing conditions, and to withstand severe disturbances at individual and population levels as well as being attracted to concentrated food sources.

# **CORMORANT POPULATIONS IN LOUISIANA**

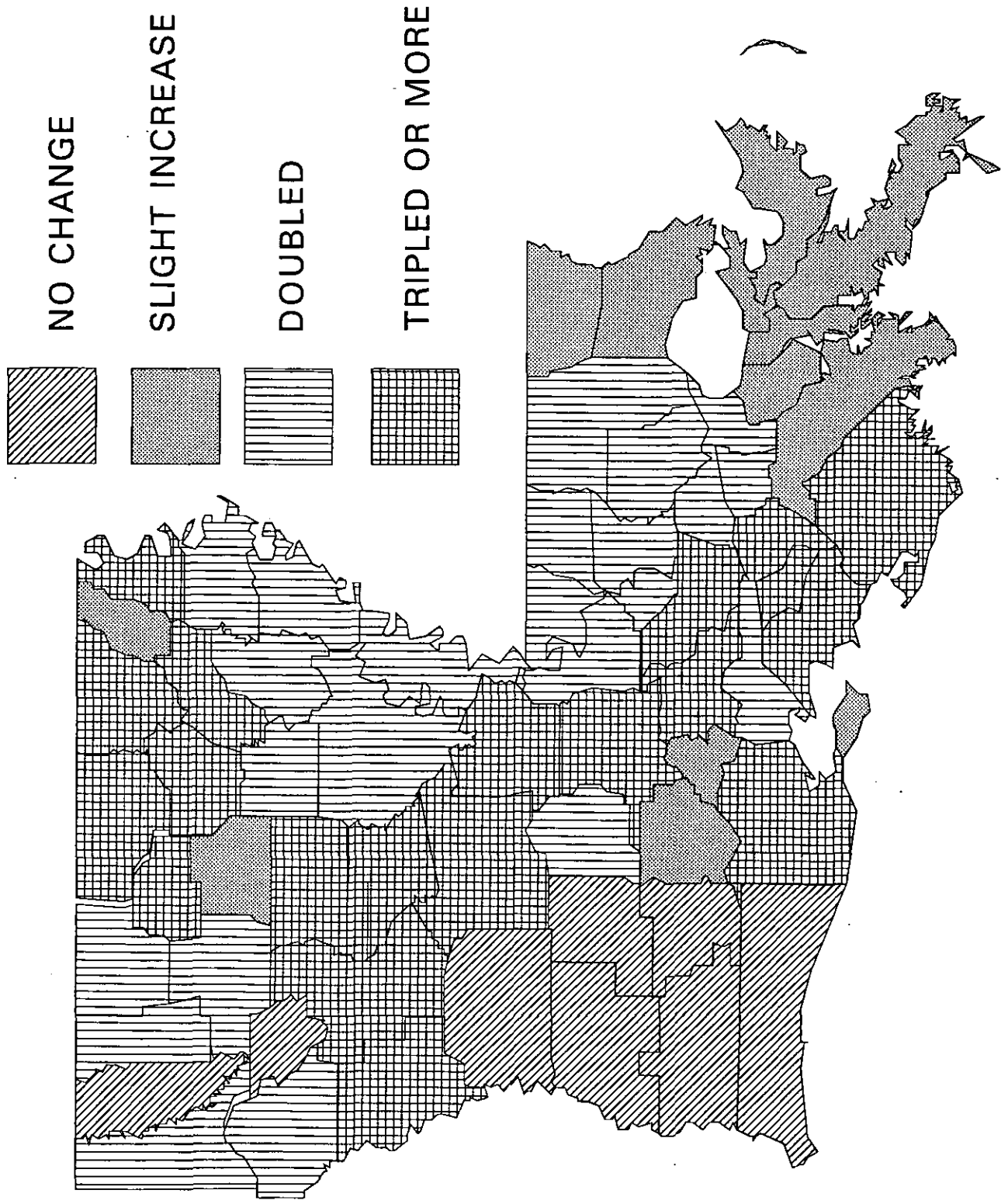
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- ▶ A survey of LDWF fisheries biologists indicates that resident and nonresident populations of DCC have increased in Louisiana over the last 10 years, with estimates ranging from no change to have tripled in some areas of the state.

# ESTIMATION OF POPULATION CHANGES FOR RESIDENT CORMORANTS 1980 - PRESENT



ESTIMATION OF POPULATION CHANGES FOR MIGRATORY CORMORANTS  
1980 - PRESENT



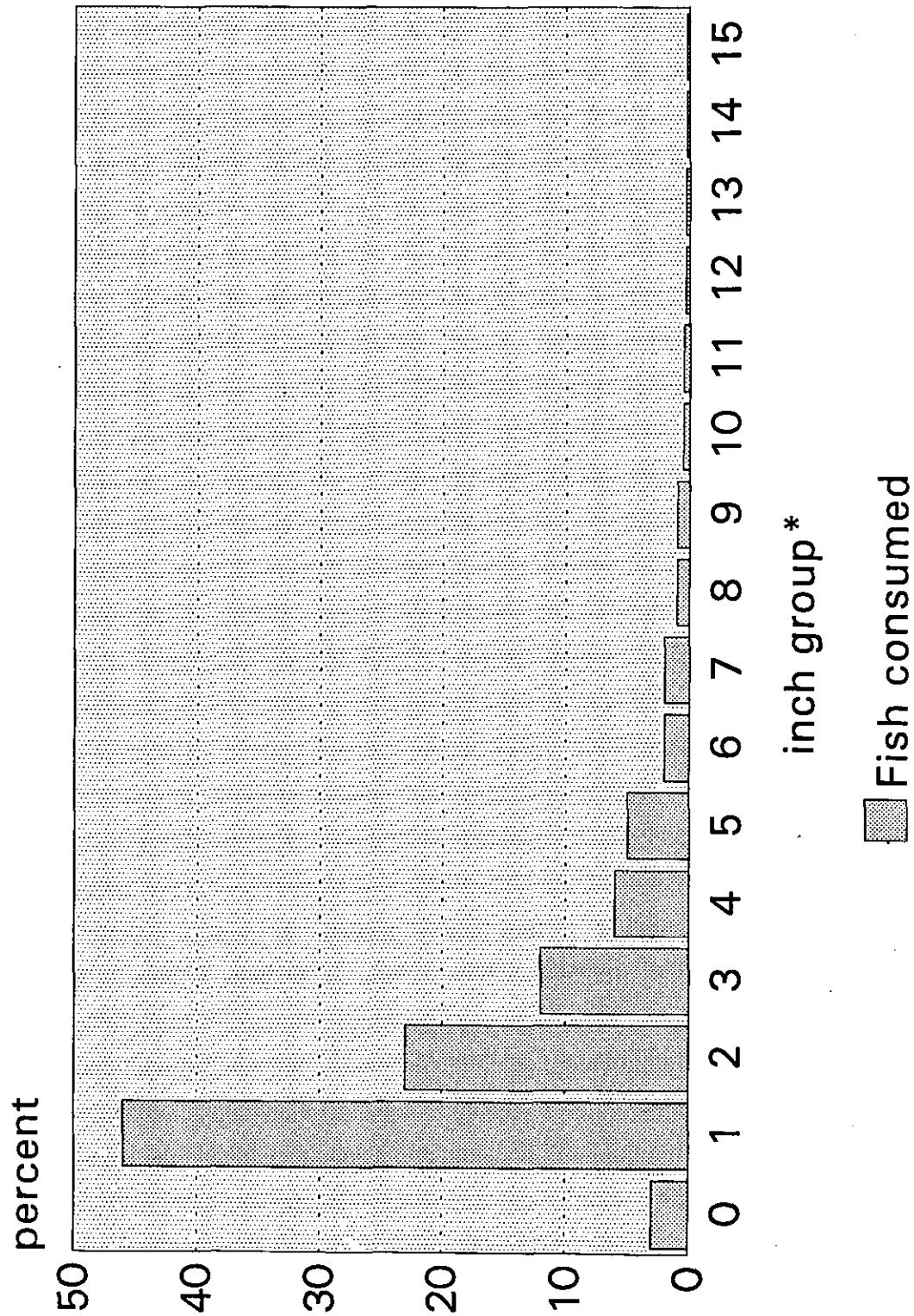
# FISH TAKEN BY DOUBLE-CRESTED CORMORANTS IN 8 TEXAS RESERVOIRS

SPECIES	PERCENT BY NUMBER	PERCENT BY WEIGHT
SHAD	79.2	26.1
BREAM	8.0	15.0
LARGEMOUTH BASS	0.6	8.6
CRAPPIE	0.7	5.7
CATFISH	1.1	9.6
OTHER	10.4	35.0

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# CORMORANT FOOD COMPOSITION TEXAS PUBLIC RESERVOIRS - FREQUENCY BY LENGTH

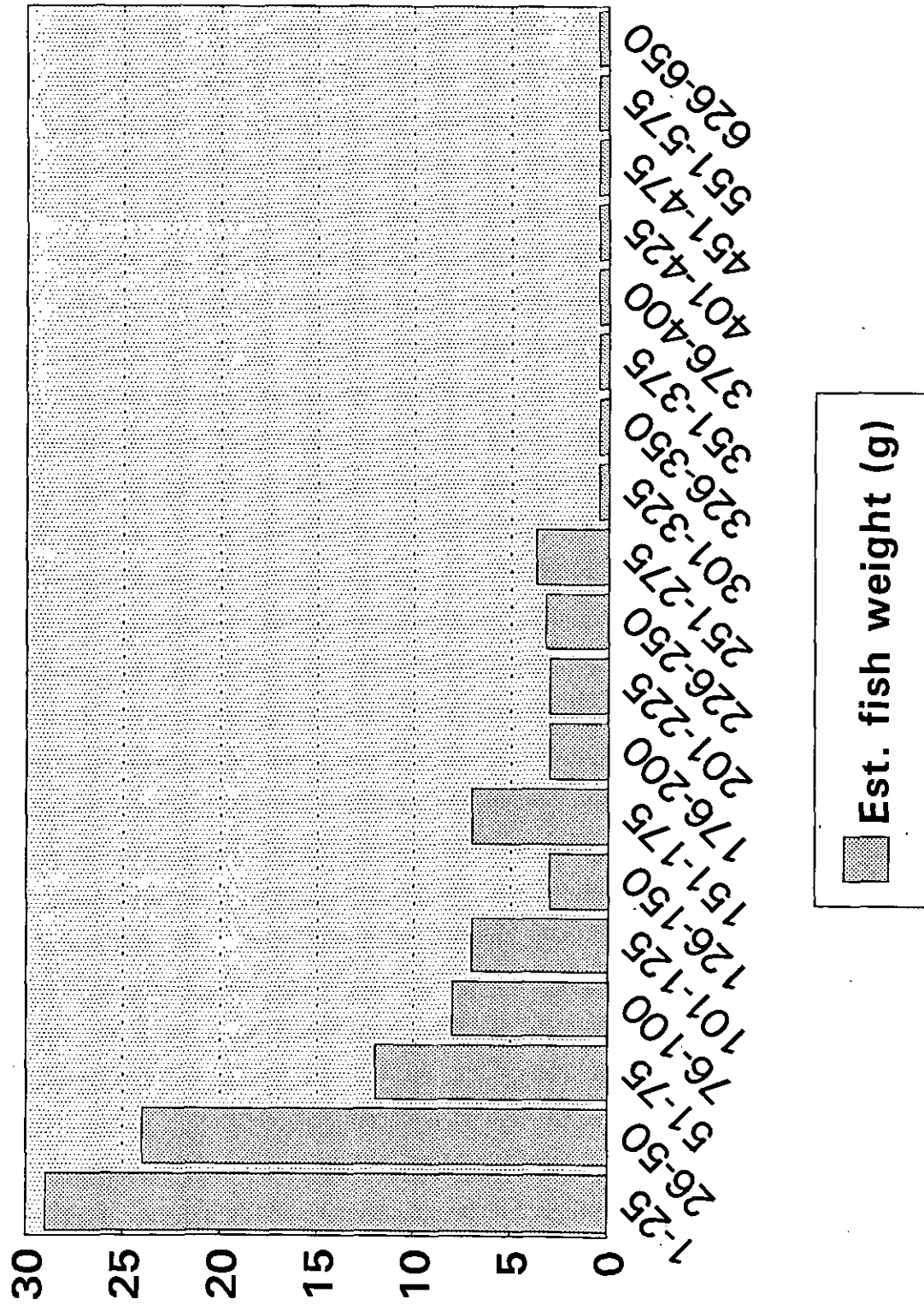
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\*Group 0 = 0-1", Group 1 = 1"-2", etc.



# CORMORANT FOOD COMPOSITION TEXAS PUBLIC RESERVOIRS - FREQUENCY BY WEIGHT



420 double-crested cormorants

# RESOLUTION OF CONFLICTS

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- ▶ Resource agency affirmation that some public fish resources are appropriately allocated to natural fish predators.
- ▶ Planning for fish predators in the scope of water development and fishery management projects
- ▶ Increased development of behavioral-based biological control strategies to deter DCC.
- ▶ Estimation of conditions under which fish populations in large recreational waters can be reduced by avian fish predators.

Jim Hansen

HYPOXIA INFORMATION  
31 AUGUST 1993

(Definition: Hypoxic waters are those containing less than 2.0 ppm of dissolved oxygen.)

Hypoxia is a natural phenomenon that occurs in offshore waters as a result of strong salinity and temperature stratification of the water column during summer. It is an annual event; the extent varies from year to year. Similar phenomena occur regularly in Mobile Bay, New York Bight and Chesapeake Bay.

Inshore, hypoxic events are caused by abrupt increases, followed by crashes in phytoplankton populations. These are related to weather, and are local in their effects.

The main area of impact offshore is west of the Mississippi River. Hypoxic events east of the river have been sporadic, and local in effects.

Freshwater discharge from the Mississippi and Atchafalaya Rivers creates a layer of brackish water near the surface of the Gulf of Mexico. Stratification of the water column based on salinity acts as a barrier to vertical mixing of surface and bottom waters.

Stratification begins soon after passage of the last cold front of spring and persists until the first cold front of fall. Strong summer storms will break the stratification and re-oxygenate bottom waters. Calm weather conditions after a summer storm will allow hypoxic conditions to recur. This happened after Hurricane Andrew in 1992.

It is a dynamic condition that is constantly moving in- or off- shore.

Mississippi River discharge during late July and early August was nearly twice the average of 400,000 cfs.

Nutrients in river waters also lead to blooms of phytoplankton. When these short-lived plants die they sink to the bottom waters and contribute to high biochemical oxygen demand, leading to depleted oxygen levels in the bottom waters.

During the end of July, hypoxic bottom waters extended from the Mississippi to the Calcasieu River in depths of 5 to 40M (nearshore to 30 mi (east) and 70 mi (west)). The area increased 10 miles farther offshore in early August and retreated to late July levels by mid-August.

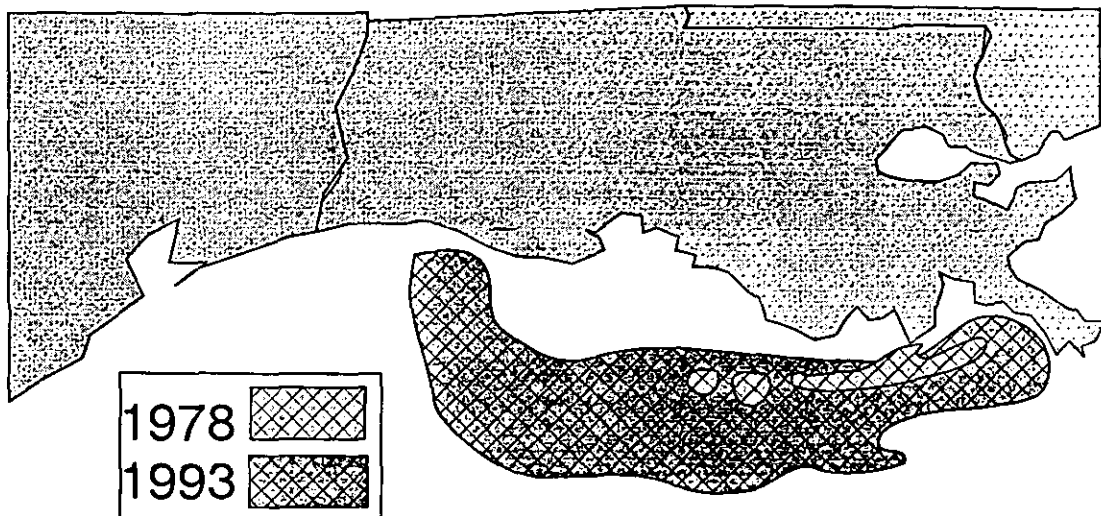
Fishery effects: Little effect on pelagic species.

Most fishery organisms move away from affected area as hypoxic conditions develop - main impacts are displacement and altered migration patterns.

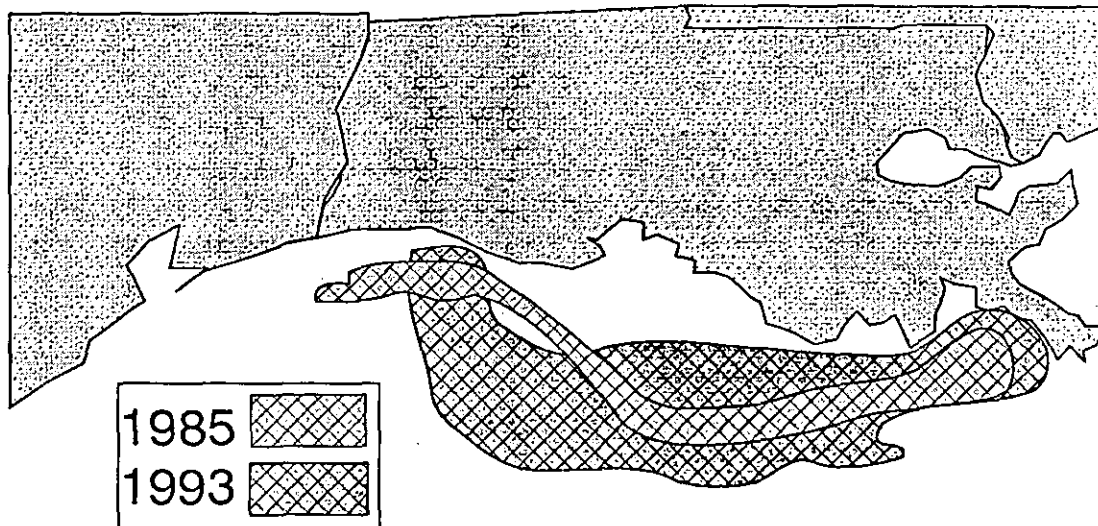
Upwelling bottom waters can cause local mortality.

Once hypoxic conditions are ended, recolonization is rapid.

## HYPOXIC AREA COMPARISON: 1978/1993



## HYPOXIC AREA COMPARISON: 1985/1993

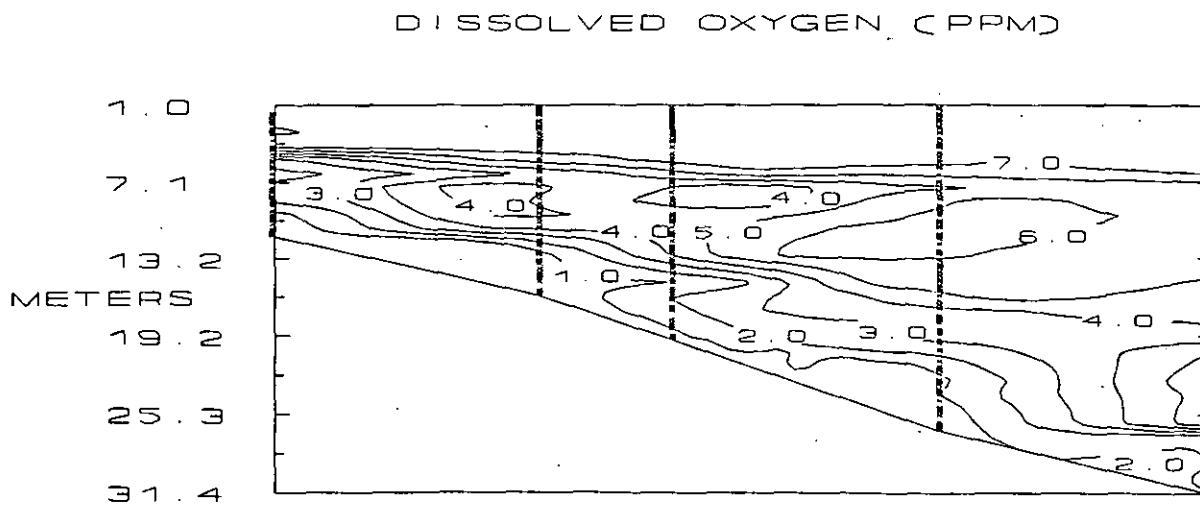
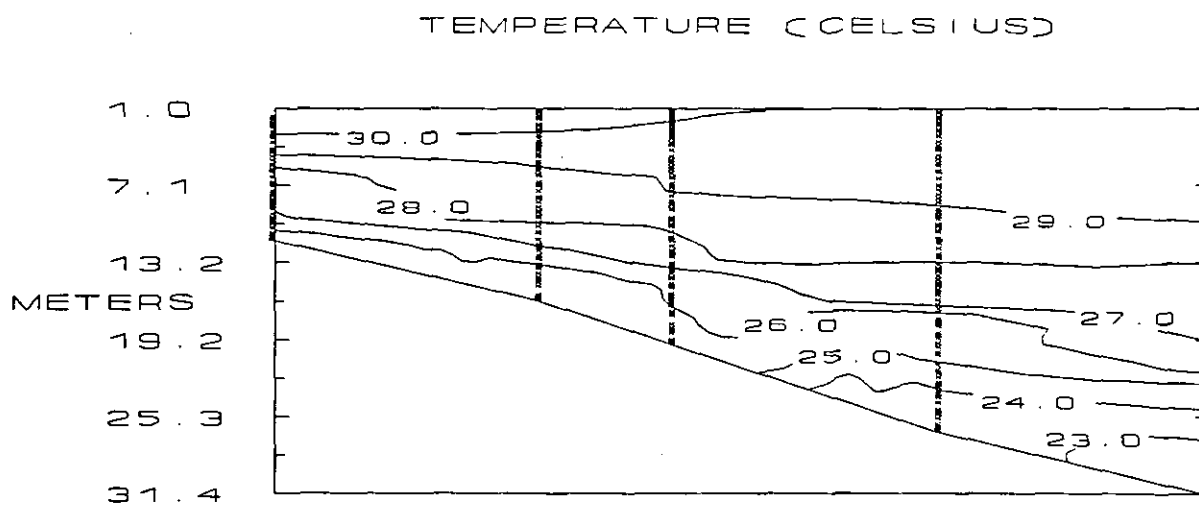
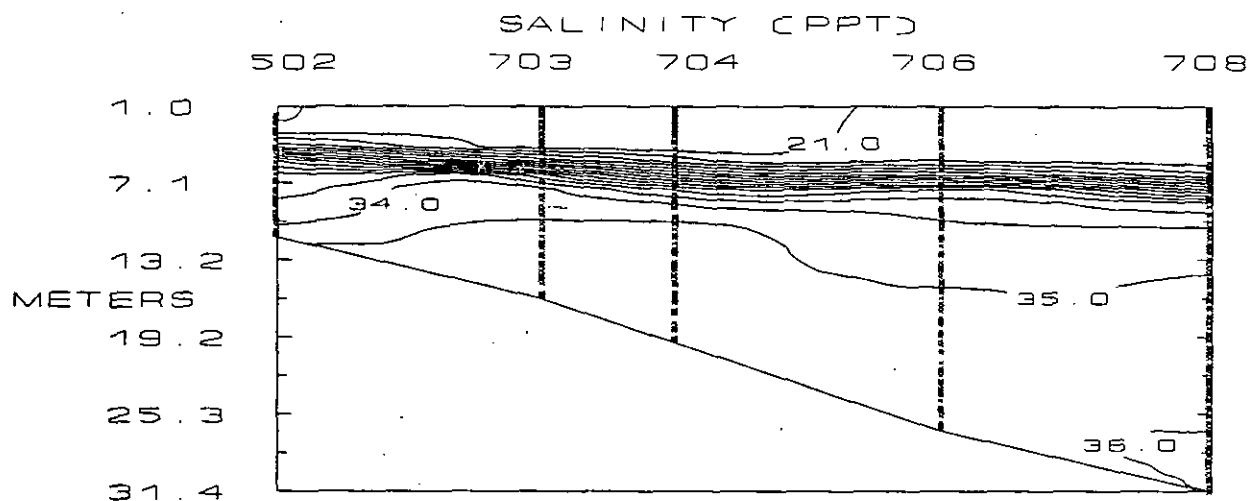


1993 information from Nancy Rabalais (LUMCON), Gene Turner & Bill Wiseman (LSU), and Don Harper (TAMU)

1985 information from Nancy Rabalais (LUMCON)

1978 information from Maurice Renaud (NOAA)

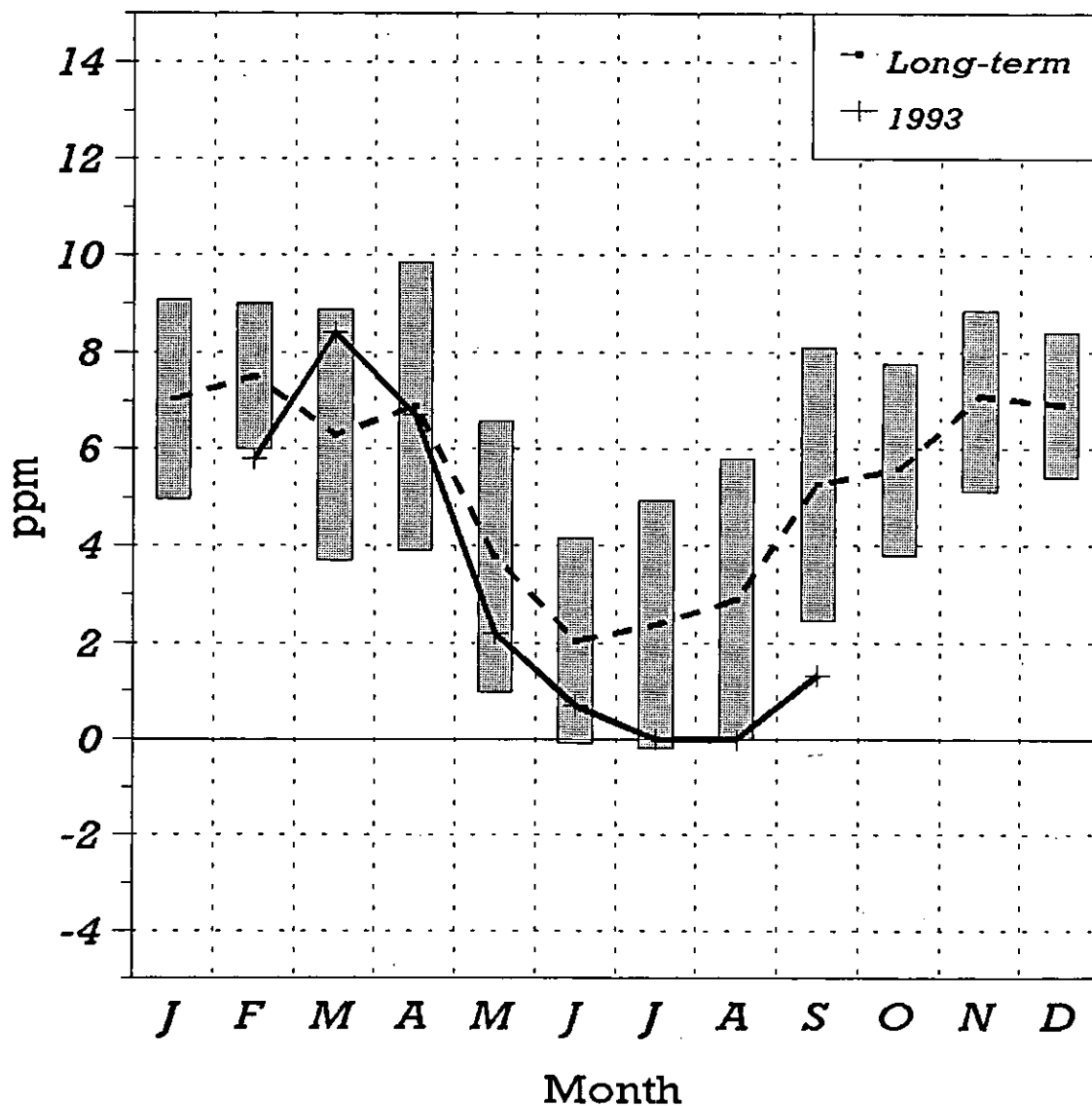
LDWF / LOOP Project Cross-shelf Hydrographic Profile Data, July 1993



# Hypoxic Conditions off the Louisiana Gulf Coast.

*Values correspond to bottom D.O. samples.*

*LDWF/LOOP Project-Station 35.*



*Long term mean based on years 1978-1992.*

# State of Louisiana



## Department of Wildlife and Fisheries

Office of Wildlife

P.O. Box 98000

Baton Rouge, LA 70898-9000

504/765-2806

August 31, 1993

Joe L. Herring  
Secretary

Edwin W. Edwards  
Governor

Lee Caubarraux  
Assistant Secretary

### MEMORANDUM:

TO: Joe L. Herring, Secretary

FROM: Lee Caubarraux, Assistant Secretary

SUBJECT: Aviation Report - July 1993 *He 7/31/93*

Total hours listed are:

PILOT	TOTAL HOURS
G. Rackle	36.2
B. Stamey	12.6
M. Windham	1.9
D. Clause	18.8
TOTAL HOURS	69.50

-0- No Flights

PLANE	FLIGHT HOURS	ESTIMATED <sup>1</sup> COST(TOTAL)	ACTUAL <sup>2</sup> COST(TOTAL)
N61092 Amphib	26.1	3,247.10	3,672.06
70365 Float-DC	18.8	2,194.90	1,871.18
N2576K Float-MW	1.9	226.20	170.59
N9467Y 210	9.0	869.22	863.10
N223MS Partenavia	8.4	1,566.43	895.86
N57266 Aero Commander	5.3		
TOTALS	69.50	8,103.85	7,472.79

<sup>1</sup>Estimated Cost is based on an historical average per flight hour.

<sup>2</sup>Actual Cost substitutes actual maintenance for the month for the average maintenance costs used in the previous figure. This is the only figure used in the calculation of estimated costs that varies significantly from month to month.

LGC:csg

cc: Debbie Unbehagen, Fiscal

[illegible]



[illegible]

[illegible]

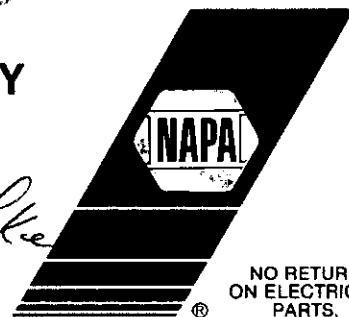
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099598



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GILBERT, LA 71336-0865  
(318) 435-9819



NO RETURN  
ON SPECIAL  
ORDERS.

NO RETURN  
ON ELECTRICAL  
PARTS.

MON-FRI 7AM-5:30PM  
SAT 7AM-12PM  
AFTER HOURS 435-3261

REC'D.

BY X

*Mike Wilson 4552*

ALL GOODS RETURNED MUST BE ACCOMPANIED BY THIS INVOICE.

*John Leche 6419*

ACCT. NO.		SOLD TO		DATE		INVOICE NO.		STORE NO.		CM		SLS	
1494 LA. DEPT OF WILDLIFE & FISH				7/14/93		099598		5227		2		0	
PO BOX 426				TIME		PURCHASE ORDER NO.				ATTENTION			
FERRIDAY LA. 71334				9:47		0 T-239-93							
INVOICE TYPE → CHARGE SALE													
QUANTITY		PART NUMBER		LINE		DESCRIPTION		PRICE		NET		TOTAL	
1.00		735-1605		BK		EXH EXTE		6.090		4.650		4.65	
20.00		8080-480B		RFD		COTT PIN		0.044		0.032		0.64	
1.00		760-1438		BK		BRUSH				3.484		3.48	
SUBTOTAL →		8.77		MISC →		0.00		0.000% TAX		0.00		TOTAL → 8.77	

PLANE: N2576K (FLOAT-MW)

[illegible]

PLANE: N25766 (AERO COMMANDER)

[illegible]

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
September 2, 1993

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA. September 2, 1993.

WHEREAS, public hearings in Washington, D. C. have been held on late season migratory birds that include ducks, geese and coots, and

WHEREAS, the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

WHEREAS, rules and regulations governing migratory bird season frameworks have been developed by the U. S. Fish and Wildlife Service, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for ducks, geese and coots that include season dates, bag limits, and shooting hours, and


WHEREAS, it is the statutory responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for these migratory species within constraints established by the U. S. Fish and Wildlife Service framework, and


WHEREAS, tentative dates, bag limits and shooting hours were adopted at the August Commission meeting, now

THEREFORE BE IT RESOLVED, that on this date, the Louisiana Wildlife and Fisheries Commission does hereby adopt the attached season dates, bag limits and shooting hours by Declaration of Emergency, and

BE IT FURTHER RESOLVED that this Declaration of Emergency shall be in effect beginning November 13, 1993 and extends through sunset February 20, 1994, and

BE IT FURTHER RESOLVED that these dates will be forwarded to the U. S. Fish and Wildlife Service as regulations for Louisiana's 1993-94 Migratory Bird Hunting Seasons.

  
Bert Jones, Chairman  
Louisiana Wildlife and  
Fisheries Commission

  
Joe L. Herring, Secretary  
Louisiana Department of  
Wildlife and Fisheries

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the Emergency provisions of R.S. 49:953(B) of the Administrative Procedures Act, and under authority of R.S. 56:115, the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby adopts the following Emergency Rule:

The hunting seasons for ducks, coots and geese during the 1993-94 hunting season shall be as follows:

WILDLIFE DIVISION'S  
RECOMMENDATIONS  
FOR  
WATERFOWL

**Ducks and Coots: (Closed Season on Canvasbacks)**

**West Zone: 30 days**

November 13 (Sat.)-November 28 (Sun.)	16 Days
December 27 (Mon.)-January 09 (Sun.)	14 Days

**East Zone: 30 days**

November 20 (Sat.)-November 28 (Sun.)	9 Days
December 27 (Mon.)-January 16 (Sun.)	21 Days

**Catahoula Lake: 30 days**

November 20 (Sat.)-November 28 (Sun.)	9 Days
December 13 (Mon.)-January 02 (Sun.)	21 Days

**Shooting Hours:** One half hour before sunrise to sunset.

**Daily Bag Limit:**

The daily bag limit on ducks is 3 and may include no more than 2 mallards (no more than 1 of which may be a female), 1 black duck, 2 wood ducks, 1 pintail, and 1 redhead. Daily bag limit on coots is 15.

**Mergansers:**

The daily bag limit for mergansers is 5, only 1 of which may be a hooded merganser. Merganser limits are in addition to the daily bag limit for ducks.

**Possession Limit:**

The possession limit on ducks, coots and mergansers is twice the daily bag limit.



**GEESE: (STATEWIDE SEASON)**

November 13 (Sat.)-December 5 (Sun.)	23 Days
December 18 (Sat.)-February 2 (Wed.)	47 Days
February 03 (Thu.)-February 12 (Sat.)	10 Days

**Daily Bag Limit:**

Daily bag limit is 7 in the aggregate of blue, snow and white-fronted geese of which not more than 2 may be white-fronted (specklebellies). During the last 10 days (February 3-12), only blue and snow geese may be taken. During the Canada Goose season (Jan. 19-27) the daily bag limit for Canada geese and white-fronted geese is 2, of which not more than 1 can be a Canada goose. Possession limit is twice the daily bag limit.

**Canada Goose Season: January 19-27**

A goose season will be open in a portion of southwest Louisiana. The area shall be described as follows:

Easterly from the Texas line along Hwy. 12 to Ragley; then easterly along U. S. 190 from Ragley to its junction with I-49 near Opelousas; then south along I-49 to its junction with Hwy. 167 near Lafayette; then south along Hwy. 167 from Lafayette to its junction with Hwy. 82 at Abbeville; then south and west along Hwy 82 to the Intracoastal Waterway at Forked Island; then westerly along the Intracoastal Waterway from Forked Island to the junction of the Intracoastal Waterway and the Calcasieu Ship Channel; then south along the west side of the Calcasieu Ship Channel to Hwy. 82 at Cameron; then westerly along Hwy. 82 to the Texas Line. All lands lying within these boundaries shall be open for the experimental Canada goose season except all open waters of Lake Arthur and the Mermentau River from the Hwy. 14 bridge southward.

A special permit shall be required to participate in the Canada Goose Season. A permit is required of everyone, regardless of age, and a non-refundable \$5.00 administrative fee will be charged. This permit may be obtained from the Lake Charles, Opelousas and Baton Rouge offices.

Return of harvest information requested on permit is mandatory. Failure to submit this information by February 14, 1994 will result in the hunter not being allowed to participate in Canada Goose Season the following year.

A Declaration of Emergency is necessary because the U. S. Fish and Wildlife Service establishes the framework for all migratory species. In order for Louisiana to provide hunting opportunities to the 200,000 sportsmen, selection of season dates, bag limits, and shooting hours must be established and presented to the U. S. Fish and Wildlife Service immediately.

The aforementioned season dates, bag limits and shooting hours will become effective on November 13, 1993 and extend through sunset on February 20, 1994.

Bert Jones

Chairman

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
September 2, 1993

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA. September 2, 1993.

WHEREAS, public hearings in Washington, D. C. have been held on late season migratory birds that include ducks, geese and coots, and

WHEREAS, the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

WHEREAS, rules and regulations governing migratory bird season frameworks have been developed by the U. S. Fish and Wildlife Service, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for ducks, geese and coots that include season dates, bag limits, and shooting hours, and

WHEREAS, it is the statutory responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for these migratory species within constraints established by the U. S. Fish and Wildlife Service framework, and

WHEREAS, tentative dates, bag limits and shooting hours were adopted at the August Commission meeting, now

THEREFORE BE IT RESOLVED, that on this date, the Louisiana Wildlife and Fisheries Commission does hereby adopt the attached season dates, bag limits and shooting hours by Declaration of Emergency, and

BE IT FURTHER RESOLVED that this Declaration of Emergency shall be in effect beginning November 13, 1993 and extends through sunset February 20, 1994, and

BE IT FURTHER RESOLVED that these dates will be forwarded to the U. S. Fish and Wildlife Service as regulations for Louisiana's 1993-94 Migratory Bird Hunting Seasons.

Bert Jones, Chairman  
Louisiana Wildlife and  
Fisheries Commission

Joe L. Herring, Secretary  
Louisiana Department of  
Wildlife and Fisheries

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the Emergency provisions of R.S. 49:953(B) of the Administrative Procedures Act, and under authority of R.S. 56:115, the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby adopts the following Emergency Rule:

The hunting seasons for ducks, coots and geese during the 1993-94 hunting season shall be as follows:

WILDLIFE DIVISION'S  
RECOMMENDATIONS  
FOR  
WATERFOWL

**Ducks and Coots: (Closed Season on Canvasbacks)**

**West Zone: 30 days**

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**Shooting Hours:** One half hour before sunrise to sunset.

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A special permit shall be required to participate in the Canada Goose Season. A permit is required of everyone, regardless of age, and a non-refundable \$5.00 administrative fee will be charged. This permit may be obtained from the Lake Charles, Opelousas and Baton Rouge offices.

Return of harvest information requested on permit is mandatory. Failure to submit this information by February 14, 1994 will result in the hunter not being allowed to participate in Canada Goose Season the following year.

A Declaration of Emergency is necessary because the U. S. Fish and Wildlife Service establishes the framework for all migratory species. In order for Louisiana to provide hunting opportunities to the 200,000 sportsmen, selection of season dates, bag limits, and shooting hours must be established and presented to the U. S. Fish and Wildlife Service immediately.

The aforementioned season dates, bag limits and shooting hours will become effective on November 13, 1993 and extend through sunset on February 20, 1994.

Bert Jones

Chairman

2 September 1993

Louisiana Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

Wild Louisiana Stamp Program Implementation

Act 193 of the 1992 regular legislative session required that persons using LDWF-administered lands have in their possession a valid Louisiana hunting or fishing license or a Wild Louisiana Stamp. Each of these licenses and stamps is valid for an unlimited number of entries onto Department-administered land between July 1 and June 30 (ie. one fiscal year). The cost of the stamp is \$5.50. For fiscal year 1993-1994, the stamp depicts a Louisiana black bear. Sheriffs' offices received this stamp from the publisher in June, 1993.

Act 441 of the 1993 regular legislative session amended Act 193 by providing for a one-day rate. The FY 93-94 stamp will also depict a Louisiana black bear, but will cost \$2.00. It will be validated at the time of purchase by signing on the face and dating the stamp for the date it will be used to gain access to Department-administered land. These stamps should be available before the end of October, 1993.

Copies of these acts are attached.

Notice is hereby given to the public that implementation of the program established by Act 193, as amended, shall be as follows:

I. Requirements.

Any person whose age is between 15 years and 60 years, exclusive, who is using Department-administered land, must have in his or her possession a valid Louisiana hunting or fishing license or a Wild Louisiana Stamp (purchased at an annual rate of \$5.50 or a daily rate of \$2.00), a letter of exemption from the Secretary, or must be exempt by way of exemptions outlined within this document from possessing one of these. For our purposes, "using" is defined as "on or within the boundary of a Wildlife Management Area, Wildlife Refuge, Fish Hatchery, etc. for the purpose of recreational or commercial purposes."

II. Exemptions.

A. Non-commercial

1). Those individuals who are less than 16 years of age or greater than 59 years of age.

2). Those individuals crossing LDWF-administered lands on public or private waterways, roads, etc. for the purpose of gaining access to lands beyond LDWF-administered property. An

example of this is the West Pearl River, which occupies a boundary of Pearl River WMA and is a major transportation corridor and river for recreational boaters.

3). Those persons who are employees of a local, state, or federal government who enter the LDWF-administered land on official government business or who are not employees of a local, state, or federal government but enter the property on official government business.

4). Those persons participating in special events in which the sponsoring group or individual secured an exemption from the Department and paid a \$50 fee to the Natural Heritage Account. Such permit may be issued only after the Department Secretary approves the event and receives payment. The organizer(s) of the event may choose to opt for each attendant meeting the age requirement to purchase a Wild Louisiana Stamp (either at the \$5.50 annual rate or the \$2.00-per-day rate) or hunting or fishing license in lieu of the \$50 fee. The LDWF District Office Enforcement Division Captain will be notified prior to the event taking place. Special events will be handled on a case-by-case basis. Charitable events may be exempted by the Secretary.

5). Those persons (chaperones and children) participating in official class outings of elementary, middle, and high schools and colleges and universities are exempted from the requirements set forth herein.

6). Those persons who have in their possession a letter signed by the Secretary of the LDWF exempting them from the requirements outlined in this policy.

#### **B. Commercial**

1). Those persons who are on LDWF-administered property while actively participating in a commercially operated tour in which they are required to compensate a company, group, or individual for services are required to purchase a Wild Louisiana Stamp (either at the \$5.50 annual rate or the \$2.00-per-day-rate) or Louisiana hunting or fishing license, unless the tour operator/owner has obtained in advance a commercial tour operating permit from the Secretary. Annual permits to operate boat tours will be issued at a rate of \$1,000 for each boat operating on the WMA or Refuge. Annual permits to operate bus tours will be issued at a flat rate of \$1,000 per owner/operator. Tour operators shall have the option of obtaining the commercial tour operating permit or requiring tour participants to possess a Louisiana hunting or fishing license or Wild Louisiana Stamp. If the tour operator chooses to require his tour participants to have a Louisiana hunting or fishing license or Wild Louisiana Stamp, the tour operator/owner shall be licensed to sell the stamps directly to their patrons. Tour operators must report in writing to



the Secretary in June of each year the number of persons they took on the Department-administered land during the previous 11 months. Both the \$5.50 and \$2.00 stamps will be made available to the public through retailers where hunting and fishing licenses are sold as well as the Department's district and headquarters offices. All tours are subject to restrictions on time and area of tour, as to the Secretary's discretion.

2). Persons actively carrying out their duties on Department-administered lands as employees of for-profit companies (except tours), whose activities are authorized by the Secretary are hereby exempt from these requirements. Such activities include, but may not be limited to, seismic, mineral exploration, and mineral development activities.

### III. Other restrictions.

1. Other restrictions may apply to use of Department-administered lands, as outlined in existing Louisiana laws and rules promulgated by the Department or the Louisiana Wildlife Commission.

2. Prior to 1 July 1994, any person violating the requirements of Act 193 of the 1992 legislative session shall be assessed a civil penalty of no more than fifteen dollars. After 1 July 1994, a violation of this section shall be a class one violation.

HOUSE BILL NO. 1950

ACT # 193

BY REPRESENTATIVES SAM THERIOT, ACKAL, ALARIO, COPELIN, DEWITT, AND PIERRE AND SENATORS MCPHERSON, BANKSTON, BRINKHAUS, FIELDS, KELLY, NUNEZ, CAIN, CHABERT, DECUIR, JOHNSON, JORDAN, AND ULLO (SUBSTITUTE FOR HOUSE BILL NO. 667 BY REPRESENTATIVE SAM THERIOT, ET AL.)

AN ACT

To enact R.S. 56:10(B)(6), 109(D), and 1832; to create the natural heritage account within the Conservation Fund; to provide for a Wild Louisiana Stamp; to provide for the collection, disposition, and expenditures of revenues; to provide for Wild Louisiana Stamp prints; to authorize the promulgation of regulations; to provide for department administered lands; to provide for requirements and exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:10(B)(6), 109(D), and 1832 are hereby enacted to read as follows:

§10. Annual report to governor; estimate of proposed expenditures; conservation fund; seafood promotion and marketing fund; wildlife stamp research fund; Duck Stamp Fund; warrants; vouchers; surplus funds

\* \* \*

B.

\* \* \*

(6) There is hereby created within the Conservation Fund a special account known as the "natural heritage account" which shall consist of those revenues collected from the sale of "Wild Louisiana" stamps and prints provided for in R.S. 56:1832 and those funds donated or allocated for the protection and stewardship of Louisiana's wild lands and waters to support the functions of the Louisiana Natural Heritage Program. The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph

1 of this Subsection. The funds in this account shall be used solely for the implementation and administration of Parts I, II, III, and IV of Chapter 8 of this Title and the natural heritage and nongame programs within the department.

\* \* \*

§109. Wildlife management areas; wildlife refuges; public hunting grounds and recreation areas; notice; signs

\* \* \*

D.(1) On and after July 1, 1993, a Wild Louisiana Stamp, hunting license, or fishing license shall be required for use of department administered lands including wildlife refuges and wildlife management and habitat conservation areas. Persons under sixteen years of age and sixty years of age or older are exempt from this requirement.

(2) Persons using department administered lands for commercial purposes for which the department is paid a royalty or special fee, agents of the state on official business, and persons or groups using department administered lands for purposes other than fishing or hunting who receive, for good cause, a letter of permit from the secretary specifically waiving the Wild Louisiana Stamp, shall be exempt.

(3) During the period of July 1, 1993 until July 1, 1994, any person violating the requirements of this Subsection shall be assessed a civil penalty of no more than fifteen dollars. After July 1, 1994, a violation of this Subsection shall be a class one violation. *Fines collected to be placed in Nat'l Tr. Account*

\* \* \*

§1832. Wild Louisiana Stamp

A. In addition to other methods of funding available for the implementation of this Chapter the department is authorized to issue and promote the sale to the general public of Wild Louisiana Stamps, which shall not exceed ten dollars for each stamp.

B. The proceeds from the sale of these stamps shall be placed into the special account within the Conservation Fund

known as the "natural heritage account" and shall be used solely for the implementation and administration of Parts I, II, III, and IV of this Chapter and the natural heritage and nongame programs within the department; however, the department may use not more than twenty-five percent of the revenues from the sale of the stamps for the maintenance and stewardship of department administered lands.

25% of the revenues from the sale of stamps for the maintenance and stewardship of department administered lands.

C.(1) The department shall provide by regulation the form and design of the "Wild Louisiana Stamp". The stamp shall depict a representative Louisiana nongame species or natural habitat. The regulations shall determine the manner by which an artist shall be selected to create the stamp art. The artist and subject for the stamp print shall be selected with the objective of yielding the maximum return to the department from the sales of stamps and prints.

(2) The department shall negotiate with the Wild Louisiana stamp artist and the stamp art publisher the terms by which limited edition prints of the stamp art will be made available and sold to the public with the objective of maximizing sales of prints and the return to the department from those sales.

(3) The department's share of the proceeds from the sales of the Wild Louisiana stamp print shall be paid to the natural heritage account within the Conservation Fund.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

AN ACT

To enact R.S. 56:109(D)(4) and to amend and reenact R.S. 56:1832(A), relative to Wild Louisiana Stamps; to provide for the posting of notices of required possession; to provide for one-day rates; to provide for locations where the stamps may be sold; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:109(D)(4) is hereby enacted and R.S. 56:1832(A) is hereby amended and reenacted to read as follows:

§109. Wildlife management areas; wildlife refuges; public hunting grounds and recreation areas; notice; signs; disabled hunters

\* \* \*

D.

\* \* \*

(4) The department shall prominently post and maintain at each entrance to those lands subject to this Subsection a sign stating that all visitors, except those exempt by law, must possess a Wild Louisiana Stamp, a hunting license, or a fishing license while on those lands.

\* \* \*

§1832. Wild Louisiana Stamp

A. In addition to other methods of funding available for the implementation of this Chapter, the department is authorized to issue and promote the sale to the general public of Wild Louisiana Stamps, which shall not exceed ten dollars for each stamp. The department may also issue a Wild Louisiana Stamp

that is valid for one day which shall cost two dollars. The stamps shall be available for sale at all locations at which hunting or fishing licenses are also available and shall, if feasible, be made available for purchase through a self-service facility located at the entrance to those lands subject to R.S. 56:109(D).

\* \* \*

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

EMERGENCY RESOLUTION

La. Wildlife and Fisheries Commission

August 20, 1993

WHEREAS, the promulgation of trapping season for the taking of furbearers is a wise use of a renewable natural resource; and

WHEREAS, biological data has determined that populations of furbearing animals are at or above carrying capacity and that surplus animals taken by legal trapping have no adverse impact on those populations; and

WHEREAS the Fur and Refuge Division recommends an open trapping season for 1993-94 as follows:

North Zone: All furbearers, November 20, 1993 through February 15, 1994.

Experimental Season: February 16, 1994 through March 15, 1994. Soft catch only (Padded trap) and non-locking snare.

South Zone: All furbearers, December 1, 1993 through February 28, 1994.

The boundary between North and South Zones shall be Interstate Highway 10 from Texas state line to Baton Rouge; Interstate Highway 12 from Baton Rouge to Slidell, and Interstate Highway 10 from Slidell to the Mississippi state line.

Bobcat and otter by federal regulation must have an export tag attached to verify origin in Louisiana at the time of sale. State possession tag must accompany pelt during instate commerce.

THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt these recommended dates for the 1993-94 trapping season.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize the Secretary of the Department of Wildlife and Fisheries to take any and all steps necessary to promulgate the 1993-94 trapping season including extending or shortening the adopted season for furbearer management purposes.

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Joe L. Herring  
Secretary

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Bert Jones  
Chairman

DECLARATION OF EMERGENCY  
Department of Wildlife and Fisheries  
Establishing 1993-94 Furbearer Trapping Season

In accordance with the emergency provisions of R.S. 49:953(b), the Administrative Procedure Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set the furbearer trapping season and the rules regulating it, and R.S. 56:260 the 1993-94 furbearer trapping season is hereby established in accordance with the following regulations.

The season for the trapping of furbearers by licensed trappers shall be:

North Zone - All furbearers, November 20, 1993 through February 15, 1994.

South Zone - All furbearers, December 1, 1993 through February 28, 1994.

Experimental Season - February 16, 1994 through March 15, 1994. Soft Catch (padded jaw) and non-locking snare only.

The boundary between the North and South Zones will be Interstate Highway 10 from the Texas state line to Baton Rouge; Interstate Highway 12 from Baton Rouge to Slidell; and Interstate Highway 10 from Slidell to the Mississippi line.



Bobcat and otter by federal restriction is imposed by the CITES Scientific Authority require the placement of an export tag prior to out-of-state shipment.

Joe L. Herring  
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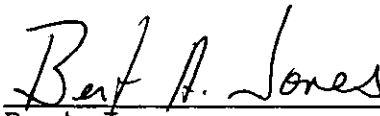
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Joe L. Herring  
Secretary

  
Bert Jones  
Chairman

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Bobcat and otter by federal restriction is imposed by the CITES Scientific Authority require the placement of an export tag prior to out-of-state shipment.

Joe L. Herring  
Secretary

**RESOLUTION**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**Commercial Fisherman's Sales Report Form**

**WHEREAS, Louisiana Revised Statute 56:345 (B) requires the Louisiana Wildlife and Fisheries Commission to establish a Commercial Fisherman's Report Form to be used by commercial fishermen to report in detail the quantity of each kind of fish sold to anyone other than a resident wholesale/retail dealer, and**

**WHEREAS, The Louisiana Wildlife and Fisheries Commission has established through LAC Part VII, Chapter 2, 76:203 (D) a starting date of July 1, 1992 for full implementation of the Commercial Fisherman's Report Form, and**

**WHEREAS, The Department of Wildlife and Fisheries has not yet been provided sufficient funding to implement the program for fiscal year 1993-1994.**

**Therefore, Be It Resolved that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the full implementation date of the Commercial Fisherman's Sales Report Forms from July 1, 1992 to January 1, 1995. The Notice of Intent attached to and made a part of this resolution is hereby approved.**

**BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.**



**Bert Jones**  
**Chairman**



**Joe L. Herring**  
**Secretary**

**NOTICE OF INTENT**  
**DEPARTMENT OF WILDLIFE AND FISHERIES**  
**WILDLIFE AND FISHERIES COMMISSION**  
**COMMERCIAL FISHERMAN'S SALES REPORT FORM**

The Louisiana Wildlife and Fisheries Commission hereby expresses intent to amend the full implementation date of the Commercial Fisherman's Sales Report Form from July 1, 1992 to January 1, 1995.

**TITLE 76**  
**WILDLIFE AND FISHERIES**  
**PART VII. FISH AND OTHER AQUATIC LIFE**

**Chapter 2. General Provisions**

**Section 203. Commercial Fisherman's Sales Report Form**

**D. The effective date of this regulation is January 1, 1995.**

Interested persons may submit written comments on the proposed amendment to the following address before November 1, 1993: Joseph Shepard, Programs Manager, Marine Fisheries Division, Department of Wildlife and Fisheries, Post Office Box 98000, Baton Rouge, LA 70898-9000,

**Authority Note:** Promulgated in accordance with R.S. 56:345(B).

**Historical Note:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 18:82 (January, 1992), repromulgated LR 18:198 (February, 1992)..

**Bert Jones**  
**Chairman**

**RESOLUTION**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**Dealer Receipt Form**

**WHEREAS, Louisiana Revised Statute 56:303.7 (B) requires the Louisiana Wildlife and Fisheries Commission to establish a Dealer Receipt Form to be used by wholesale/retail dealers who purchase fish from commercial fishermen, and**

**WHEREAS, The Louisiana Wildlife and Fisheries Commission has established through LAC Part VII, Chapter 2, 76:201 (F) a starting date of July 1, 1992 for full implementation of the Dealer Receipt Form, and**

**WHEREAS, House Concurrent Resolution No. 42 of the 1992 Louisiana Regular Session did suspend until 60 days after the 1993 Regular Session the implementation of the provisions of R.S. 56:303.7 (B), relative to the receipt form due to budgetary constraints of the Department of Wildlife and Fisheries, and**

**WHEREAS, The Department of Wildlife and Fisheries has not yet been provided sufficient funding to implement the program for fiscal year 1993-1994.**

**Therefore, Be It Resolved that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the full implementation date of the Dealer Receipt Forms from July 1, 1992 to January 1, 1995. The Notice of Intent attached to and made a part of this resolution is hereby approved.**

**BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.**



**Bert Jones**  
**Chairman**



**Joe L. Herring**  
**Secretary**

**NOTICE OF INTENT**  
**DEPARTMENT OF WILDLIFE AND FISHERIES**  
**WILDLIFE AND FISHERIES COMMISSION**

**DEALER RECEIPT FORM**

The Louisiana Wildlife and Fisheries Commission hereby expresses Intent to amend the full implementation date of the Dealer Receipt Form from July 1, 1992 to January 1, 1995.

**TITLE 76**  
**WILDLIFE AND FISHERIES**  
**PART VII. FISH AND OTHER AQUATIC LIFE**

**Chapter 2. General Provisions**

**Section 201. Commercial Fisherman's Sales Card; Dealer Receipt Form**

**F. Effective date of Part A and B of this regulation is upon publication in the Louisiana State Register. Effective date for Parts C, D, and E of this regulation will be January 1, 1995.**

Interested persons may submit written comments on the proposed amendment to the following address before November 1, 1993: Joseph Shepard, Programs Manager, Marine Fisheries Division, Department of Wildlife and Fisheries, Post Office Box 98000, Baton Rouge, LA 70898-9000,

**Authority Note: Promulgated in accordance with R.S. 56:303.7.**

**Historical Note: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 18:81 (January, 1992), repromulgated LR 18:198 (February, 1992).**

**Bert Jones**  
**Chairman**





Associated Press photo

er of the Year, has recovered from injured

## Young starter against Steelers

### THE NFL

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NFL's leading rusher years, is asking for tion and the Cowboys about \$2.5 million in ages.

wide receiver Jimmy pped complications fol- dectomy surgery and 1993 season.

is appendix removed d suffered post-surgi- and complications.

Quarterback Stan ad a sharp practice should be able to start ener Sunday against ahawks, coach Bobby

bruised his throwing urday's 30-14 exhibi- n Francisco. When he w during team drills oss said Humphries' laying Sunday were

and running back Barry Sanders on Sunday with three of their top defenders recovering from injuries.

Defensive tackles Pierce Holt and Jumpy Geathers and cornerback Melvin Jenkins are all listed as questionable. Holt became the defensive unit's latest casualty Wednesday when he left the field with an injured left calf.

Geathers is nursing a sore left calf and did not work out Wednesday. Jenkins, recovering from a fractured right foot in July, also missed practice Wednesday.

**DOLPHINS:** The Miami Dolphins named running back Mark Higgs as their starter for their season opener Sunday against Indianapolis. Terry Kirby will be the backup and third-down specialist.

Higgs, a two-year starter averaging over 900 yards per season, became annoyed in training camp when the local media tabbed rookie Kirby as a potential starter.

**BRONCOS:** Rookie tight end Clarence Williams, cut by the Denver Broncos on Monday and claimed by the Cincinnati Bengals, was re-signed by Denver on Thursday and assigned to the practice squad.

Williams, the Broncos seventh-round draft pick out of Washington State, failed his physical exam with the Bengals. Williams said the Bengals cited a sore shoulder for their decision.

Backup tight end Jerry Evans (ankle) remained doubtful for Sunday's season opener against the New York Jets. Defensive end Willie Oshodin (foot) was questionable.

# LWFC OKs seasons, has lively meeting

By JOE MACALUSO  
Advocate outdoors writer

After ratifying the state's 1993-94 migratory waterfowl seasons, four agenda items touched off the most argumentative Louisiana Wildlife and Fisheries Commission meeting of the year.

Thursday, the LWFC quickly approved 30-day duck and 80-day goose seasons.

West Zone waterfowl hunters get the first shot: The first split of their duck-coot (poule d'eau) seasons opens Nov. 13 and ends Nov. 28. East Zone waterfowlers have a shorter first split — Nov. 20-28 — and will make up the balance of their days from Dec. 27-Jan. 16, 1994. The West Zone's second split runs Dec. 27-Jan. 9, 1994.

The biggest departure from last season is the split season on Catahoula Lake. For the past two years, Catahoula Lake hunters have had a straight 30-day season. This year the splits will run from Nov. 20-28 and Dec. 13-Jan. 2, 1994.

There is no change in the bag limit: It's still three ducks a day — no more than two can be mallards and no more than one mallard hen, two wood ducks, one pintail, one red-head and one black duck — and 15 coots per day. The limit on mergansers will be five per day, with only one hooded merganser in the bag. As in past years, the possession limit is twice the daily limit, and legal shooting hours are from a half-hour before sunrise to sunset statewide.

The statewide splits for geese are Nov. 13-Dec. 5, Dec. 18-Feb. 2 and Feb. 3-12. The last split is for blue and snow geese only. The daily limit is seven, of which only two can be white-fronted (specklebellies).

There's a special Canada goose season Jan. 19-27, 1994, but a LDWF permit is required. Hunting boundaries and shooting hours are outlined on the permit.

A discussion of the implementation of the Wild Louisiana Stamp (WLS) Program triggered a series of verbal exchanges between commission members and LDWF employees.

As WLS program leader Gary Lester outlined the final details of stamp costs and distribution of the non-game stamp, commission members were told that this agenda item was "for information only," that the LWFC was excluded from the decision-making process by the statute passed by the 1992 Legislature.

"Fees and charges are part of the rule-making function of this commission," LWFC member Jimmy Jenkins said. "In other words, the statute gives the (LDWF) secretary the authority to do it all. I think that's wrong."

Jenkins was the first of three commissioners to ask why the LWFC wasn't alerted to that proviso when the legislation was proposed.

LDWF Secretary Joe Herring told Jenkins LWFC members were informed as part of their 1992 legislative advisories issued by his department.

"The questions you have should have been raised last year," Herring told Jenkins.

LWFC chairman Bert Jones

countered Herring's statement by insisting any future legislation that excludes the commission "from what should be our duties," be specially noted.

That issue was also a bone of contention in the matter of an "information only" session on establishment of the state's first mussel harvesting plan.

The other two problematic topics came in discussions on new non-resident license fees and shrimp sanctuaries.

Mussel harvesting in Louisiana has never been regulated, but a 1992 Legislative concurrent resolution established a task force to study the establishment of regulations. The Freshwater Mussel Program was born in that task force. Regulations came from the FMP.

Program director Dave Arnoldi, an LDWF biologist, said eight residents and one non-resident had applied for harvest permits.

Both Arnoldi and Inland Fisheries Division administrator Bennie Fontenot admitted they had little or no data on the stocks of the more valuable and marketable mussel species. Both said they would rely on the industry to regulate itself and, in turn, provide the department with information on specie locations.

Commissioner Jeff Schneider objected to the implementation of the program, saying that not only had the LWFC been excluded from the decision-making process, but also that "folks in my area (Tangipahoa Parish) are very concerned about how the water quality will suffer when the mussels are harvested."

"Besides, I don't like this idea of the fox guarding the hen house," Schneider said.

Another objection came when Fontenot said the program contained no provision for a severance tax. The LWFC was told that discrepancy would have to be addressed in the 1994 Legislature.

The LWFC has the power to change established licensing fees and Jones charged the Finance-Budget Section to study the effects of the Aug. 1 increase in non-resident fishing licenses. Guides and charterboat skippers claim the higher fees have hurt business.

Jones also demanded the Marine Fisheries Division present the LWFC with proposed boundaries for shrimp sanctuaries at the October meeting.

"I've been on the commission for four years. Since that first meeting we've been told sanctuaries are just around the corner," Jones said. "Why are we dragging our feet on this?" Jones asked.

Shrimp Study leader Brandt Savoie said the LDWF wanted input from shrimpers.

"We don't ask hunters to set their seasons ... and we don't want this decision to be user driven," Jones said.

Trapping and menhaden seasons were set. It's Nov. 20-Feb. 15, 1994 in the North Zone, and Dec. 1-Feb. 28, 1994 in South Zone.

Menhaden seasons have permanent dates: It will open annually on the third Monday in April and close Nov. 1.

Friday, Sept 3, 1993

## **Proposed Changes to Alligator Regulations**

### **Section C. General Rules**

Part 12. After "catch out of state,", Insert "or shipping to an instate taxidermist,

Part 15. After "Transaction Form", Insert "and Shipping Manifest"

### **Section D. Licenses, Permits and Fees**

Part 3. After "buying", Insert "alligators for the purpose of skinning" Delete, "and", Insert "or buying and". After the next "selling", Delete "alligators or".

Part 4. After "buying", Insert "alligators for the purpose of skinning", Delete "and", Insert "or buying and". After the next "selling", Delete "alligators or".

Part 11. After "liable for the", Insert "alligator hide tag fee and the". After "shall pay the", Insert "alligator hide tag fee and the".

### **Section F. Alligator Hide Tag Procurement and Tagging Requirements**

Part 2.c. Delete "Payment for all alligator tags shall be received by the Department prior to issuance." Insert "Alligator hide tags shall be issued to licensed alligator hunters without charge." After "nontransferable.", Delete "A refund will be issued for a", Insert "A". "After unused alligator tags", Delete "which are", and Insert "shall be".

Part 3. After "Alligator farmers -", Insert "Alligator hide tags shall be issued to properly licensed alligator farmers without charge". After "upon request", Delete "and receipt of payment to the Department". After "Department personnel", Delete "A refund will be issued for a" and Insert "A". After "alligator tags", Insert "shall be".

### **Section G. Open Season, Open Areas, and Quotas.**

Part 2.d. After "season shall", Delete "be" and Insert "include".

### **Section J. Nuisance Alligator Control**

Part 4. After "will be issued", Insert "without charge".

### **Section K. Report Requirements**

Part 2. Insert "Commercial" and Delete "a"

Part 2.a. After "by the Department", Delete "at the time of" and Insert "for".

Part 2.c. After "close of the season", Delete "Tag fees will only be reimbursed during this specific time period."

After Part 2.f., Add:

"g. The alligator hide tag fee and severance tax shall be collected by the Department from the alligator hunter who is shipping his own alligators or raw alligator skins, or who intends to custom tan, or use for taxidermy, the alligators or raw skins."

Part 4.a. After "by the Department", Delete "at the time of" and Insert "for".

Part 4.c. After "class", Delete "3" and Insert "2".

After Part 4.f., Add:

"g. The alligator shipping label fee or the alligator hide tag fee and the severance tax shall be collected by the Department from the alligator farmer who is shipping alligators or raw alligator skins, or who intends to custom tan, or use for taxidermy, the alligators or raw skins."

Part 5.a.ii. After "shipment.", Add "A fully executed (filled out) shipping manifest containing all information required in the buyer/dealer record may be substituted with Department approval for the buyer/dealer record requirement on farm raised alligator skins."

Part 5.a.iv. After "Severance tax", Insert "and alligator hide tag fees".

Part 6. After "severance tax", Insert "and alligator hide tag fees". After "paid the tax", Insert "and alligator hide tag fees".

## **Section P. Exceptions**

Part 1. After "possess alligators", Insert ", alligator eggs,".

NOTICE OF INTENT  
Department of Wildlife and Fisheries  
Louisiana Wildlife and Fisheries Commission

The Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the alligator regulations which govern the wild and farm alligator harvest. The alligator industry of Louisiana represents a renewable resource, valuable to the economy providing income to approximately 110 alligator farmers and in excess of 1,900 alligator hunters. The alligator farming program and the annual harvest of surplus wild and nuisance alligators is in keeping with wise wildlife management techniques based upon scientific research conducted by the Department of Wildlife and Fisheries.

The Louisiana Wildlife and Fisheries commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

The regulations governing the alligator harvest program and the alligator farming program may be viewed at the Wildlife and Fisheries Headquarters, 2000 Quail Drive, Baton Rouge, LA, phone: (504)765-2812.

Interested persons may submit written comments on the proposed regulations to James H. Manning, Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, 259, 261, 262, 263 and 280.

Bert Jones  
Chairman

DRAFT  
8/9/93

**ALLIGATOR RULES AND REGULATIONS  
TITLE 76**

**Chapter 7. Alligators**

**701. Alligator Regulations**

The Department of Wildlife and Fisheries does hereby establish regulations governing the harvest of wild populations of alligators and alligator eggs, raising and propagation of farmed alligators tanning of skins and regulations governing the selling of hides, alligator parts and farm raised alligators. The administrative responsibility for these alligator programs shall rest with the Department Secretary; the Assistant Secretary, Office of Wildlife; and the Fur and Refuge Division.

**A. Purpose.**

These regulations are to govern the taking, possession, selling, raising and propagation of alligators statewide, both in the wild and in captivity. They are enacted to prevent depletion or waste, while enhancing utilization of this renewable resource. These regulations are based upon scientific study and population monitoring and are consistent with federal requirements to qualify alligators and alligator parts from Louisiana for international export under the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Alligators in Louisiana are not endangered but their similarity of appearance to endangered crocodilian species requires controls on commerce to minimize illegal trafficking of these species and to regulate and maintain the wild population of alligators. These regulations provide rules to enhance alligator farming operations; establish the methods of alligator harvest; establish minimum facility requirements for alligator farming; regulate commerce in alligators, eggs and parts; streamline necessary reporting requirements; and, establish a regulated nuisance alligator control program.

**B. Definitions.**

The following words and phrases for purposes of these regulations shall have the meaning ascribed to them in this section, unless the context wherein the particular word or phrase is used clearly indicates a different meaning:

1. Alligator - American alligator (Alligator mississippiensis).

2. Alligator Egg Collection Permit - A permit issued by the Department allowing for the collection of alligator eggs on designated properties described as part of the permit. The permit will be signed by the Secretary or his designee, the

permittee and the landowner/land manager.

3. Alligator Farm (nongame quadruped) - An enclosed area, constructed so as to prevent the ingress and egress of alligators from surrounding public or private lands or waters and meeting other specifications and requirements set by the Department, where alligators are bred, propagated, or raised as a commercial enterprise under controlled conditions. "Alligator Farm" also includes alligator ranching wherein eggs are collected from the wild, and raised, pursuant to departmental license or permit.

4. Alligator Farmer - A properly licensed person who raises alligators under controlled conditions which prohibit free movement of the animals onto and off of the farm or controlled area, or who collects and sells wild alligator eggs, and who may harvest alligators under the supervision of the Department. An alligator farmer must possess a valid nongame quadruped breeder's license.

5. Alligator Hide Tag - An official CITES serially numbered tag issued by the Department.

6. Alligator Hunter - A properly licensed resident or nonresident person who takes wild alligators. Resident hunters are divided into four classes:

a. Commercial - Anyone who is licensed by the Department to take wild alligators after having filed application(s) approved by the Department which authorize the issuance of alligator hide tags to him.

b. Helper - Anyone who is licensed by the Department to assist a commercial hunter during alligator harvest activities; alligator hide tags cannot be issued to a helper license holder.

c. Sport - Anyone who is licensed by the Department and guided by a commercial hunter during alligator harvest activities; alligator hide tags cannot be issued to a sport license holder.

d. Nuisance - A licensed alligator hunter who is contracted or otherwise selected by the Department to remove designated nuisance alligators and who can be assigned alligator hide tags by the Department.

7. Alligator Part - Any part of the carcass of an alligator, except the hide and includes the bony dorsum plates, if detached from the tagged alligator hide.

8. Alligator Parts Dealer - Any properly licensed person who

deals in alligator parts other than hides and who:

- a. Buys unprocessed alligator parts from an alligator hunter, another parts dealer, or an alligator farmer for the purpose of resale; or
- b. Manufactures within the state non-edible alligator parts into a finished product; or
- c. Purchases unprocessed alligator meat or processes alligator meat for wholesale or retail sale.

9. Alligator Parts Retailer - Any properly licensed person who purchases for retail sale finished alligator parts made from parts other than hides.

10. Alligator Shipping Label - A serially numbered green label issued by the Department required on each shipment of alligators being transported out of the state.

11. Bona Fide Resident (1) - Any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any license and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile, as demonstrated with all of the following, as applicable:

- a. If registered to vote, he is registered to vote in Louisiana.
- b. If licensed to drive a motor vehicle, he is in possession of a Louisiana driver's license.
- c. If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.
- d. If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

(2) As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than fifty percent of the officers, partners, or employees are domiciled in Louisiana.

12. Closed Season - That period of time of a calendar year not specifically included in the open season.

13. Commission - The Louisiana Wildlife and Fisheries

Commission.

14. Common Carrier - Any agency or person transporting passengers or property of any description for hire.

15. Confiscation - The exercise of a right under the police power wherein property is seized and held pending court order if the seized material is nonperishable, or disposed of without judicial intervention if perishable.

16. Consumer - Restaurants and other places where alligator, fish, shrimp, or other aquatic life is prepared for human consumption; or any person using alligator, fish, shrimp, or other aquatic life for bait or personal consumption.

17. Department - The Louisiana Department of Wildlife and Fisheries.

18. Designated Collection Agent - Anyone who is permitted by the Department to assist an alligator egg collection permittee during alligator egg collection.

19. Dressing, Dressed Skins or Dressed Furs - (See "Tanning").

20. Finished Alligator Part - Any non-edible alligator part that has been completely processed from parts other than hides for retail sale.

21. Fur Buyer - Anyone who buys whole nongame quadrupeds for the purpose of pelting, carcasses of fur bearing animals, raw furs or skins from fur trappers, alligator hunters, alligator farmers, fur buyers, or fur dealers and who sells to another fur buyer or fur dealer within the confines of the state or to a nonresident fur dealer licensed by the State of Louisiana in interstate commerce, or who acts as an agent of another fur buyer or fur dealer in this state in such purchase or sale. Fur buyers are divided into two classes, resident and nonresident. Resident fur buyers are those who are bona fide residents of this state. All others are nonresident fur buyers.

22. Fur Dealer - Anyone who deals in whole nongame quadrupeds for the purpose of pelting, carcasses of fur bearing animals, raw furs and skins and who:

a. Buys from a fur trapper, alligator hunter, or alligator farmer, either directly or indirectly, and ships or exports from this state, either directly or indirectly, the raw furs and skins so bought; or

b. Buys from a fur buyer or other fur dealer and



exports from this state the raw furs and skins so bought;  
or

c. Buys from a fur trapper, alligator hunter, alligator farmer, fur buyer, or other dealer and sells such raw furs and skins for manufacturing into a finished product in this state; or

d. Manufactures such furs and skins into a finished product in this state, buying directly from a fur trapper, alligator hunter, alligator farmer, fur buyer, or fur dealer; or

e. Transports raw furs or skins into this state for the purpose of sale within the state. Fur dealers are divided into two classes, resident and nonresident. Resident fur dealers are those who are bona fide residents of this state. All others are nonresident fur dealers.

f. Converts raw alligator skins through the tanning process into finished or partially finished leather and/or converts raw (green or dried) fur pelts into dressed furs ready for manufacturing.

23. Hatchling - A young of the year alligator which is less than twenty three (23) inches in length.

24. Hide - (See "Pelt").

25. Hook - Any curved or bent device attached to a line or pole for the purpose of taking alligators.

26. Hunt - In different tenses, attempting to take.

27. Incubator - An apparatus designed and used for the primary purpose of incubating alligator eggs.

28. Land Manager - Any authorized person who represents the landowner.

29. Landowner - Any person who owns land which the Department has designated as alligator habitat.

30. Licensee - Any resident or nonresident lawful holder of an effective license duly issued under the authority of the Department.

31. Nongame Quadruped - Alligators, beavers, bobcats, coyotes, gray foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks, and other wild quadrupeds valuable for their furs or skins.

32. Nongame Quadruped Breeder - A person properly licensed to engage in the business of raising, exhibiting and selling nongame quadrupeds on alligator or fur farms.

33. Nongame Quadruped Exhibitor - A person properly licensed to engage in the business of raising and/or exhibiting nongame quadrupeds.

34. Nonresident - Any person who is not a bona fide resident as that term is defined by R.S. 56:8(12).

35. Nuisance Alligator - A specific (particular) alligator that poses a threat to human life or property.

36. Open Season - That period of time set by the Louisiana Wildlife and Fisheries Commission, during which wild alligators or their eggs may be lawfully taken.

37. Out-of-State Shipping Seal - A special locking device or seal supplied by the Department and placed on or across a shipping container by Department personnel prior to shipping out-of-state.

38. Out-Of-State Shipping Tag - An official, serially numbered tag, yellow in color, issued by the Department required on each shipment of alligator hides shipped out of state.

39. Part - For purposes of this section, a part is a division of a subsection.

40. Pelt - The skin or hide of a quadruped.

41. Pelting - Removing the skin and/or fur of a quadruped in such a manner as to render it marketable.

42. Person - Includes any individual person, association, corporation, partnership, or other legal entity recognized by law.

43. Pole Hunting - The act of taking an alligator from a den with a hook pole or snagging device of any type and includes using such devices to induce an alligator to move from a den prior to taking.

44. Possess - In its different tenses, the act of having in possession or control, keeping, detaining, restraining, or holding as owner, or as agent, bailee, or custodian for another.

45. Processed Alligator Part - Any part (and its resulting products) that has been removed from a legally taken alligator

and for commercial purposes converted into a finished alligator part, or meat prepared and packaged for retail sale.

46. Propagation - The holding of live alligators for production of offspring.

47. Raising - The production of alligators under controlled environmental conditions or in outside facilities.

48. Rearing - (See "Raising").

49. Resident - (See "Bona Fide Resident").

50. Secretary - The secretary of the Louisiana Department of Wildlife and Fisheries.

51. Skin - (See "Pelt").

52. Take - In its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

53. Tanning - The conversion of alligator skins or fur pelts into an intermediate or finished form and includes the following: crust tanning alligator leather, dyeing alligator leather, glazing alligator leather, tanning fur pelts, shearing fur pelts, and dyeing fur pelts, and includes the dressing of skins and furs.

54. Transport - In its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.

55. Wildlife - All species of wild vertebrates.

56. Wildlife Management Area - Any area set aside, maintained, and supervised by the Department for the purpose of managing and harvesting wild birds, wild quadrupeds, fish and other aquatic life under controlled conditions to afford maximum public hunting and fishing opportunity.

57. Wildlife Refuge - Any area set aside and designated by the Department as a refuge on which wild birds and animals are protected. Control of certain forms of wildlife may be conducted by the Department.

#### C. General Rules.

1. No person shall take, possess, purchase or sell alligators, alligator eggs, alligator hides, alligator parts,

or goods manufactured from alligators, except as provided in these regulations and LA. R.S. Title 56.

2. Each alligator, alligator hide, alligator egg, or alligator part taken or possessed in violation of these regulations shall constitute a separate offense.

3. Alligators or hides of alligators harvested in Louisiana shall be tagged in accordance with provisions as prescribed in Sec. F, paragraph 5 of these regulations and deviation from those requirements shall be a violation and subject hides to confiscation. Violation of this part is a class 4 violation as described in Title 56.

4. Pole Hunting is prohibited. It is legal for a hunter to retrieve a shot alligator with a hook pole or to retrieve with a hook pole an alligator taken on a hook and line. Violation of this part is a class 2 violation as described in Title 56.

5. An alligator hunter must possess on his person one or more current alligator hide tags issued for the property on which he is hunting; and if participating in a joint hunting operation at least one licensed hunter needs to possess current hide tags issued for the property on which they are hunting among a group of licensed hunters who are physically present in the same location. Violation of this part is a class 2 violation as described in Title 56.

6. No person shall release any alligator from any taking device for any purpose without first dispatching the alligator. After the alligator is removed from the taking device the hide tag shall be properly attached immediately upon possession. Violation of this part is a class 4 violation as described in Title 56.

7. Taking or collection of any wild alligator illegally is strictly prohibited. Violation of this part is a Class 4 violation for each alligator taken as described in Title 56. All alligators taken in violation of this part shall be confiscated and in addition to all other penalties provided herein, all alligator licenses of any type held by the offender(s) shall be revoked for a period of three (3) calendar years. If violation(s) of this part involves a farm operation, no alligators shall be raised or propagated on the offender's facilities for a period of three (3) calendar years. Any live alligator(s) confiscated pertinent to any violation of this part must be returned to the wild when appropriate. Selection of the release site and time of year of the release shall be accomplished only after consultation with and in agreement with biological staff of Fur and Refuge Division.

8. The shipment of alligator eggs out of state is prohibited except where special scientific permits have been obtained in advance from the Department which specify all such shipments. Violation of this part is a class 4 violation as described in Title 56.

9. Transportation of alligator(s) into this state without prior written approval of the Department is strictly prohibited. Violation of this part is a class 4 violation as described in Title 56.

10. It is unlawful to ship alligator eggs into the State of Louisiana unless they are to be used for Department sponsored scientific studies and these shipments shall have prior written Department approval. Violation of this part is a class 4 violation as described in Title 56.

11. The shipment of live alligators or alligator eggs out of the United States is strictly prohibited unless they are used for Department sponsored scientific studies with an accompanying authorization signed by the Secretary. The transfer of ownership of live alligators out of their natural range for commercial purposes is strictly prohibited. However, this part does not prohibit a licensed Louisiana alligator farm from raising alligators of Louisiana origin in a non-range state provided the non-range farm is in complete compliance with all applicable state(s) and federal regulations. Violation of this part is a class 3 violation as described in Title 56.

12. There is levied a severance tax of twenty-five cents on each alligator hide taken from within the state, payable to the state through the Department by the alligator hunter or alligator farmer shipping or taking his own catch out of state, or shipping to an instate taxidermist, or by the dealer shipping skins or hides out of state or tanning alligator skins in Louisiana. Violation of this part is a class 2 violation as described in Title 56.

13. An alligator hunter or alligator farmer may give alligator parts to anyone for personal use. Any part of an alligator shall have affixed thereto the name, address, date, hide tag number, and the license number of the person donating the alligator part(s). This information shall be legibly written in pen or pencil on any piece of paper or cardboard or any material which is attached to the part(s) or to the container enclosing the part or parts. This information must remain affixed until the part(s) has been stored at the domicile of the possessor. Violation of this part is a class 2 violation as described in Title 56.

14. A. R.S. 56:280, passed in the regular session of the

1992 Louisiana Legislature established a state policy which protects white or albino alligators and except under department permit prohibits the taking of white or albino alligators from the wild.

B. Conditions under which any alligator that is white or albino may be taken from the wild and under official department permit include:

a. Landowners or licensed alligator farmers or ranching operators may capture live and unharmed a white or albino alligator for its own protection. All such instances of possession shall be reported immediately to the Department.

b. Any white or albino alligator hatchling produced from wild collected eggs authorized by a Department Alligator Egg Collection Permit will remain in the possession of such licensed operators. Any white or albino hatchling must be reported immediately upon hatching to the Department on a standard activity report form.

c. Any person who unintentionally takes from the wild any alligator that is white or albino by hook and line shall immediately report its presence and location to the Department. Department personnel of the Fur & Refuge Division will on a case by case basis determine the disposition of any such white or albino alligator which is unintentionally hooked.

C. Any white or albino hatchling produced from a licensed breeding pen will remain in the possession such licensed operators but must be reported immediately upon hatching to the Department on a standard activity report.

D. It shall be a violation if any person intentionally takes from the wild any alligator that is white or albino by any means.

E. Violation of R.S. 56:280 shall subject the violator to a fine of not less than ten thousand dollars and imprisonment for not less than six months or more than 12 months, or both.

15. Alligator meat and parts may be shipped in containers that are sealed and the parts identified to the CITIES tag of origin. A fully executed alligator hunter, farmer, or parts dealer Alligator Parts Sale or Transaction Form and Shipping Manifest shall meet the U.S. Fish and Wildlife Service parts identification requirements, provided such form(s) is/are

prominently attached to the outside of each shipping container. Alligator meat/parts shipped to another state must meet applicable state/federal requirements of the receiving state. Alligator meat/parts exported from the United States must meet the requirements of the U.S. Fish and Wildlife Service as well as those of the receiving country. Alligator skulls being exported shall carry a "tag" containing the CITIES tag number and the hunter's name and license number. The skull must also be physically marked with the number of the original CITIES tag used for the hide of the individual alligator. Violation of this part is a class 3 violation as described in Title 56.

**D. Licenses, Permits and Fees.**

1. The licenses and fees required for activities authorized by these regulations are as prescribed under provisions of Title 56, or as prescribed in these regulations, and are:

- a. \$25 for a resident alligator hunter's license; including commercial, helper, sport, and nuisance types.
- b. \$150 for a nonresident alligator hunter's license
- c. \$25 for a resident fur buyer's license;
- d. \$100 for a nonresident fur buyer's license;
- e. \$150 for a resident fur dealer's license (\$500 deposit required);
- f. \$300 for a nonresident fur dealer's license (\$1,000 deposit required);
- g. \$10 for a nongame quadruped exhibitor's license;
- h. \$25 for a nongame quadruped breeder's license;
- i. \$50 for a alligator parts dealer license;
- j. \$5 for a alligator parts retailer license;
- k. \$4 for each alligator hide tag;
- l. \$4 for each whole alligator leaving the state as alligator shipping label fee;
- m. \$0.25 severance tax for each alligator hide taken from within the state;
- n. \$25 for a Designated Agent Collection Permit.

All license types prescribed above except nongame quadruped exhibitor and breeder expire annually on June 30. Nongame quadruped exhibitor and breeder licenses expire annually on December 31.

2. No person may take, attempt to take, or possess a wild alligator in this state during the open season for taking wild alligators unless he or she has acquired and possesses an alligator hunter's license. An alligator hunter must have in possession a valid alligator hunter license to take or sell alligators, their skins, or parts. Violation of this part is a class 3 violation as described in Title 56.

3. No person may engage in the business of buying alligators for the purpose of skinning and or buying and selling ~~alligators or~~ alligator skins unless he has acquired a resident or nonresident fur buyers license. No resident or nonresident fur buyer shall ship furs, alligators, or alligator skins out of state. Violation of this part is a class 3 violation as described in Title 56.

4. No person may engage in the business of buying alligators for the purpose of skinning and or buying and selling ~~alligator or~~ alligator skins or shipping alligator skins out of state or tanning alligator skins within the state unless he has acquired a resident or nonresident fur dealers license. Violation of this part is a class 3 violation.

5. No person may engage in the business of raising and/or exhibiting alligators unless he or she has acquired and possesses a valid nongame quadruped exhibitor license. Violation of this part is a class 3 violation as described in Title 56.

6. No person may engage in the business of raising, breeding, collecting and selling alligator eggs from the wild, propagating, exhibiting and selling alligators alive or selling their parts, and killing and transporting them and selling their skins and carcasses unless he or she has acquired and possesses a valid nongame quadruped breeder license and complies with Subsections N and O of these regulations. Violation of this part is a class 3 violation as described in Title 56.

7. No person shall engage in the business of buying and selling unprocessed alligator parts unless he has acquired and possesses a valid alligator parts dealer license. Violation of this part is a class 2 violation as described in Title 56.

8. Each retailer purchasing for retail sale, finished alligator parts made from parts other than hides, shall secure from the department an alligator parts retailer license prior



to commencing business. Violation of this part is a class 2 violation as described in Title 56.

9. No person shall remove and possess alligator eggs from wild nests unless he has acquired and possesses a valid nongame quadruped breeder license or a valid Designated Agent Collection Permit and also has in his possession a valid alligator egg collection permit. Egg collection permits will only be issued to those persons who demonstrate competency in egg collection and handling, have necessary equipment accessible and comply with all Department requirements as described in Subsection N of these regulations. Violation of this part is a class 4 violation as described in Title 56.

10. No person shall ship or transport alligators out of the state without first applying for and receiving an alligator shipping label which shall be affixed to each shipment of alligators and is properly completed and validated by Department personnel. Violation of this part is a class 3 violation as described in Title 56.

11. Every alligator hunter or alligator farmer shipping or transporting his own catch of alligator skins out of state is liable for the alligator hide tag fee and the severance tax thereon, and shall apply for an official out of state shipping tag to be attached to the shipment and shall pay the alligator hide tag fee and the severance tax prior to shipment. Violation of this part is a class 2 violation as described in Title 56.

12. Valid holders of alligator hunter license, nongame quadruped breeder license, fur dealers license and alligator parts dealer license must comply with the receiving state/country requirements and with federal licensing, tagging and permit requirements to engage in interstate and international commerce involving alligators, alligator hides, alligator parts and fully manufactured alligator hide products. Violation of this part is a class 2 violation as described in Title 56.

#### **E. Wild Harvest Methods**

1. Alligators taken from the wild may be removed from hook and line, and other legal capture devices which may be used, only during daylight hours, between official sunrise and official sunset. Violation of this part is a class 4 violation as described in Title 56.

2. There are no size restrictions on wild alligators taken during the general open season.

3. Legal methods for taking alligators in the wild are as

follows:

- a. Hook and line;
- b. Long (including compound) bow and barbed arrow; and
- c. Firearms.

Violation of this part is a class 2 violation as described in Title 56.

4. Hooks and arrows may be used only when a line of at least 300-pound test is securely attached to the hook or head of the arrow in such a manner to prevent separation from the hook or head until the carcass is retrieved. The other end of the line must be attached to a stationary or floating object capable of maintaining the line above water when an alligator is attached. Violation of this part is a class 2 violation as described in Title 56.

5. Alligator hunters shall inspect their hooks and lines and remove captured alligators daily. Alligators shall not be cut loose from hooks and lines for the purpose of selecting larger alligators. All hooks and lines shall be removed when an alligator hunter's quota is reached. In the event an alligator is hooked and the hunter's quota has been reached the hunter must release the alligator in the most humane method possible. Violation of this part is a class 2 violation as described in Title 56.

6. Baited hooks and lines may be set no more than 24 hours prior to the general open season and shall be removed no later than sunset of the last day of the open season. Violation of this part is a class 2 violation as described in Title 56.

7. No person possessing alligator hide tags issued for privately-owned land or water may take alligators on adjacent publicly-owned water unless the taking device is anchored to privately-owned land or the person is on privately-owned land when the taking occurs, provided that any alligator captured on a legal taking device that is anchored to privately-owned land or held by a person on privately-owned land may be dispatched from a floating craft on public water. Violation of this part is a class 2 violation as described in Title 56.

8. A person possessing alligator hide tags for publicly-owned areas may take alligators by legal means from a floating craft on public water for which the tags are issued.

**F. Alligator Hide Tag Procurement and Tagging Requirements**

1. Alligator hide tags may be obtained as follows and only

to properly licensed alligator hunters and nongame quadruped breeders.

2. Landowners, Land Managers and Hunters - upon application to the Department on forms provided for tag issuance. Applications for alligator tag allotments will be taken annually beginning August 1 and ending 10 days after the season opens. Tags will not be issued after the 10th day following the season opening date.

a. Maximum tag issuance to individual landowners, land managers, or their hunters shall be determined solely by the Department. Landowners, land managers, or their hunters shall certify total acreage owned or represented on a form prescribed by the Department at the time of application. The location and acreage of the property must be provided which includes parish, township, range and section delineation figures.

b. Land managers and hunters must present a notarized document from the landowner verifying their selection to represent that landowner and the total acreage represented to obtain hide tags.

c. ~~Payment for all alligator tags shall be received by the Department prior to issuance.~~ Alligator hide tags shall be issued to licensed alligator hunters without charge. Numbered alligator hide tags shall only be issued in the name of the license holder and are nontransferable. ~~A refund will be issued for a~~ All unused alligator tags ~~which are~~ shall be returned within 15 days following the close of the season.

3. Alligator farmers - Alligator hide tags shall be issued to properly licensed alligator farmers without charge upon request ~~and receipt of payment to the Department~~ at any time at least two weeks prior to scheduled harvesting, subject to verification of available stock by Department personnel. ~~A refund will be issued for a~~ All unused alligator tags shall be returned to the Department within 15 days following the last day of the year that issued tags are valid.

4. If an alligator hunter is cited for hunting alligators out of season, or at night, or on property other than that for which hide tags were issued, all unused hide tags and alligators in possession shall be confiscated and the violator's alligator hunting license shall be revoked. Violation of this part is a class 4 violation as described in Title 56.

5. A hide tag shall be properly attached and locked using the tag's locking device in the alligator's tail immediately

upon possession by an alligator hunter. Alligator farmers, fur buyers and fur dealers may wait until farm raised alligators are skinned prior to tagging, but under no circumstances can the tag be attached using the locking device more than 48 hours after dispatching the alligator. Live or dead farm raised alligators may be transported with their accompanying tags from a licensed alligator farm to a licensed processing facility, however each shipment shall be accompanied with the exact number of alligator hide tags. In the event that an alligator tag contains a factory defect rendering it unusable for the purpose intended or becomes detached from an alligator or hide, the tag must be reattached to the tail of the alligator/hide. The Department will be responsible for the replacement of reattached tags prior to shipping out-of-state or prior to tanning within the state. It shall be unlawful to tag or attempt to tag an alligator with a tag that has been locked prior to the taking. Locked tags may be replaced upon request at the discretion of the Department. The alteration of hide tags is strictly prohibited and will result in the confiscation of all tags and alligators/hides and the revocation of the violator's alligator hunting license. Violation of this part is a class 4 violation as described in Title 56.

6. In the event that an alligator hide tag cannot be located when in the possession of a Buyer/Dealer, then the following procedure shall be followed:

a. Following discovery of an untagged alligator or alligator hide by the Buyer/Dealer, they shall notify the Department of Wildlife & Fisheries, Fur & Refuge Division within 24 hours and the Department of Wildlife & Fisheries will place a state tagging device on the alligator or alligator hide.

b. Upon discovery of an untagged alligator or alligator hide by Department of Wildlife & Fisheries personnel, such personnel shall place a state tagging device on the alligator or alligator hide.

c. The State tagged alligator or alligator hide will remain in the possession of the Buyer/Dealer following the placement of the State tagging device until such time as the hide tag is located or until December 31st of that year, whichever comes first. Upon presentation of the missing hide tag and the corresponding Buyer/Dealer record which documents a match between the tag number and the alligator/hide being held, and if the Department of Wildlife and Fisheries then confirms that such tag number has not been previously shipped, the Department of Wildlife and Fisheries shall attach a replacement alligator hide tag.

d. If the Buyer/Dealer does not locate the missing hide tag following the placement of the State tagging device by the end of the allotted time period but is able to identify the tag number on a Department of Wildlife & Fisheries issued or approved Buyer/Dealer record which documents a match between the tag number and the skin being held, and if the Department of Wildlife & Fisheries then confirms that subject tag number has not been previously shipped, the Department of Wildlife & Fisheries may, in its discretion, issue a replacement alligator hide tag.

e. The failure of the Buyer/Dealer to produce the correct hide tag and/or correct documentation by the end of the allotted time period shall constitute a violation of this part.

f. The previous or subsequent attachment to an alligator or alligator hide of the missing hide tag as described above shall constitute a violation of this part.

g. Violation of this part is a Class 4 violation as described in Title 56.

**G. Open Season, Open Areas, and Quotas.**

**1. Open seasons are as follows:**

a. The general open season for taking alligators in the wild may be established annually by the Commission at their regular July meeting. The Secretary shall be authorized to close, extend, delay, or reopen the season as biologically justifiable.

b. Nuisance control hunters may take nuisance alligators at any time as prescribed by the Department.

c. Farm raised alligators may be taken at any time following the issuance of hide tags by the Department.

d. The open season for collection of alligator eggs from the wild shall be from May 15 through September 1 of each calendar year. Violation of this subpart is a class 4 violation as described in Title 56.

**2. The open areas are as follows:**

a. For the general open season, those areas designated by the biological staff of the Department as alligator habitat and which can sustain an alligator harvest.

b. The Department may select public lakes and lands for an experimental alligator hunting program. The harvest will be controlled by a tag allotment for each lake as determined by Department personnel. Applicants for public lake hunting must be 16 years of age or older. Applications must be received at least 10 days prior to the season opening date. A public drawing will be held to select hunters. An alligator hunter can receive tags for and hunt on only one public lake per season. The tag quota for each lake and hunter will be established by the biological staff of the Department. Alligator tags issued on public lakes and lands are nontransferable.

c. Wild alligators in the remainder of the state may be taken only under provisions as prescribed by the Department.

d. The open alligator egg collection season shall be include those areas designated by the biological staff of the Department as alligator habitat which can sustain an egg collection harvest and egg quotas will be determined by Department biologists.

3. The daily and season quota is equal to the number of valid alligator hide tags that a licensed alligator hunter possesses. Violation of this part is a class 4 violation as described in Title 56.

4. Non-resident alligator hunters may only take three (3) alligators during the open season. Violation of this part is a class 3 violation as described in Title 56.

5. Harvest rates will be calculated annually by Department personnel based on biological data. Alligator hide tag allotments will be established prior to issuance of alligator hunting licenses.

#### **H. Possession.**

1. No person shall possess alligators or alligator hides in Louisiana without valid official tags properly attached in the tail using the locking device as prescribed in Section F, paragraph 5. Violation of this part is a class 4 violation as described in Title 56.

2. Alligator farmers may request hide tags or shipping labels from the Department to be used on farm-raised alligators that have died and may hold those alligators in freezers until receipt of the requested hide tags or shipping labels. These alligators may be held in freezers for a maximum of 60 days prior to disposal. All alligators 24 inches and greater in length that die may be skinned and

tagged with an alligator hide tag within 48 hours of death. Violation of this part is a class 3 violation as described in Title 56.

3. No person other than a licensed alligator hunter, licensed alligator farmer, licensed fur buyer or licensed fur dealer may possess a tagged or labeled alligator, a tagged raw or salted hide of an alligator at any time, provided that legally documented tagged or labeled alligators or tagged hides may be possessed without license while in transit, or during processing for tanning or taxidermy. However, properly tagged and documented alligators or hides may be stored at any location at the owner's discretion. Violation of this part is a class 4 violation as described in Title 56.

4. No person other than a licensed alligator farmer or licensed nongame quadruped exhibitor shall possess live alligators at any time other than by a permit issued by the Department upon request for use in displays and educational purposes, and by holders of valid Department issued permits for scientific purposes. Live, farm raised alligators and their accompanying alligator hide tags may be held for processing by a properly licensed alligator skinning facility without a license or permit. Violation of this part is a class 4 violation as described in Title 56.

5. No person other than a licensed alligator farmer or licensed nongame quadruped exhibitor shall possess alligator eggs at any time other than Department permitted Designated Collection Agents assisting a licensed and permitted alligator farmer during wild egg collection, or a holder of a valid Department issued permit for scientific purposes. Violation of this part is a class 4 violation as described in Title 56.

6. Any alligators hatched from scientific permits issued by the Department shall be returned to the wild under Departmental supervision following completion of the research project. Violation of this part is a class 2 violation as described in Title 56.

**I. Importation, Exportation, Purchase, and Sale.**

1. Alligators, alligator hides (raw or salted), or parts of alligators, may be brought into the state only if the alligators, alligator hides or parts of alligators were lawfully taken in another state or country and the person, firm or corporation bringing the alligators, alligator hides (raw or salted), or alligator parts into the state has obtained written permission from the Department. Violation of this part is a class 4 violation as described in Title 56.

2. All alligators, alligator hides (raw or salted), or parts

of alligators possessed, sold, purchased, exported, imported, or brought into the state from another state shall be accompanied by documented evidence that they were lawfully taken. Documented evidence shall consist of, but not be limited to:

a. A resource user license or permit number allowing the taking of alligators and tags or other identification required by the state or country of origin shall be firmly attached to the alligator, alligator hide, or parts of alligators; and

b. A tag or label is affixed to the outside of any package or container of alligators, alligator hides, or alligator parts that specifies type of contents, indicates quantity contained, and lists applicable license or permit numbers.

Violation of this part is a class 2 violation as described in Title 56.

3. Purchases of alligators, alligator hides, alligator eggs, and alligator parts are restricted as follows:

a. A licensed alligator hunter may not purchase alligators or alligator hides from anyone.

b. A licensed fur buyer may purchase whole alligators or alligator hides from a Louisiana licensed alligator hunter, licensed alligator farmer, licensed fur dealer, or another fur buyer.

c. A licensed fur dealer may purchase whole alligators or alligator hides from a licensed alligator hunter, licensed alligator farmer, fur buyer or another fur dealer.

d. A licensed alligator farmer may purchase live alligators only from another licensed alligator farmer (with a Department approved Alligator Transfer Authorization Permit) or the Department.

e. An alligator farmer may purchase alligator eggs only from another alligator farmer, a landowner/land manager (with an approved Department alligator egg collection permit), or the Department.

f. A licensed alligator parts dealer may purchase alligator parts from a licensed alligator hunter, alligator farmer, another alligator parts dealer, or the Department.



g. A licensed alligator parts retailer may purchase finished alligator parts for retail sales.

4. Sales of alligators, alligator eggs, and alligator parts are restricted as follows:

a. A licensed alligator hunter may sell alligators, alligator hides, or alligator parts taken by the licensee during the general open season to anyone who may legally purchase.

b. A licensed alligator farmer may sell alligators, alligator eggs, alligator hides, or alligator parts to anyone who may legally purchase. The sale of alligator eggs or live alligators shall only occur following the issuance of a Transfer Authorization Permit. Application for the permit shall be made at least 2 weeks prior to the transfer.

c. A licensed fur buyer may sell whole alligators or alligator hides to a fur dealer or another fur buyer within the confines of the state.

d. A licensed fur dealer may sell whole alligators or alligator hides to anyone who may legally purchase.

e. A licensed alligator parts dealer may sell alligator parts, other than hides, to anyone.

f. A licensed alligator parts retailer may sell finished alligator parts to anyone.

5. Legally tagged and documented alligators, alligator hides, and parts of alligators taken in Louisiana may be shipped out of state or exported by alligator hunters, alligator farmers, fur dealers and alligator parts dealers subject to Subsection K of these regulations (relating to Report Requirements) provided that no live alligators or eggs originating in Louisiana may be exported outside of their natural range without specific Department authorization and the concurrence of the United States Fish and Wildlife Service, to be used only for scientific purposes. Violation of this part is a class 3 violation as described in Title 56.

6. A special permit is required of anyone who sells alligator eggs, or live alligators. Violation of this part is a class 4 violation as described in Title 56.

#### J. Nuisance Alligator Control

1. Nuisance alligator hunters will be selected by the Department with proper screening by enforcement personnel in

the region of appointment. Selection may be based upon recommendations received from the local governing body. Applicants with prior alligator hunting violations will be rejected.

2. Nuisance alligator hunters shall purchase a valid alligator hunter license and are bound by all laws, rules and regulations governing alligator hunting with the exception that nuisance alligators may be taken at anytime.

3. Nuisance alligator complaints will be verified by Department personnel prior to being approved for removal.

4. Tags will be issued without charge to nuisance alligator hunters. Nuisance alligator hunters will attempt to catch nuisance alligators and relocate to natural habitat selected by the Department. It is unlawful for any nuisance alligator captured alive to be sold or otherwise disposed of on an alligator farm. Alligators and alligator parts taken under these provisions may be retained and sold by the nuisance alligator hunter as any other legally taken wild alligator or alligator part. Violation of this part is a class 4 violation as described in Title 56.

5. Nuisance alligator hunters may take alligators by any means prescribed by the Department. Failure to comply with Departmental instructions may result in immediate termination of the individual's participation in the nuisance alligator program. Violation of this part is a class 2 violation as described in Title 56.

#### K. Report Requirements

1. Report forms provided by or approved by the Department must be completed and filed with the Department by all persons who have been issued an alligator hunter's license, fur buyer's license, fur dealer's license, nongame quadruped exhibitor's license, nongame quadruped breeder's license, alligator parts dealer's license, or alligator egg collection permit in accordance with this Subsection. Reports shall include but not be limited to the information specified in this Subsection.

2. Commercial A alligator hunters receiving hide tags from the Department are responsible for disposition of all issued tags and must:

a. Complete an official alligator parts transaction form furnished by or approved by the Department ~~at the time of~~ for each alligator part transaction. These forms shall be submitted to the Department at the end of the calendar year.

b. Complete an official lost tag form, furnished by the Department for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the close of the season. Lost or stolen tags will not be replaced.

c. All unused tags must be returned to the Department within 15 days following the close of the season. ~~Tag fees will only be reimbursed during this specific time period.~~

d. The Department must be notified of any trophy skins not sold to commercial buyers or dealers within 30 days following the close of the season, on official forms provided by or approved by the Department.

e. Each licensed alligator hunter selling alligator parts to a person or a restaurant shall provide that person with a bill of sale for each transaction.

f. All records of commercial transactions involving alligator parts by alligator hunters shall be available for inspection by the Department.

g. The alligator hide tag fee and severance tax shall be collected by the Department from the alligator hunter who is shipping his own alligators or raw alligator skins, or who intends to custom tan, or use for taxidermy, the alligators or raw skins.

Violation of this part is a class 2 violation as described in Title 56.

3. A nuisance alligator hunter shall comply with the same report requirements as a commercial alligator hunter and complete any other reports required by the Department. Violation of this requirement shall result in immediate termination of nuisance alligator hunter status. Violation of this part is a class 2 violation as described in Title 56.

4. Alligator farmers receiving hide tags from the Department are responsible for disposition of all issued tags and must:

a. Complete an official alligator parts transaction form, furnished by or approved by the Department ~~at the time of~~ for each alligator parts transaction. These forms shall be submitted to the Department along with the annual report. Violation of this part is a class 2 violation as described in Title 56.

b. Complete an official lost tag form, furnished by the Department, for any hide tags lost or stolen. These

forms shall be submitted to the Department within 15 days following the last day of the year that issued tags are valid. Lost or stolen tags will not be replaced. Violation of this part is a class 2 violation as described in Title 56.

c. All unused hide tags must be returned to the Department within 15 days following the last day of the year that issued tags are valid. Violation of this part is a class 3 2 violation as described in Title 56.

d. Each alligator farmer shall report annually, no later than December 1, on an official form provided by the Department, all activities that have occurred on the farm for the past year including but not limited to the number of live alligators as of that date, separated by sizes, the number of eggs collected and hatched, the purchase and sale of alligators, hides, and parts for the past year and the numbers of alligators lost. Failure to complete this form properly and completely will result in nonrenewal of the nongame quadruped breeder's license. Violation of this part is a class 3 violation as described in Title 56.

e. Each licensed alligator farmer selling alligator parts to a person or a restaurant shall furnish that person with a bill of sale for each transaction. Violation of this part is a class 2 violation as described in Title 56.

f. Each alligator farmer collecting alligator eggs, hatching alligator eggs, selling alligators for processing, or selling alligator skins shall submit completed forms as provided by the Department within 10 days following completion of the activity. Violation of this part is a class 3 violation as described in Title 56.

g. The alligator shipping label fee or the alligator hide tag fee and the severance tax shall be collected by the Department from the alligator farmer who is shipping alligators or raw alligator skins, or who intends to custom tan, or use for taxidermy, the alligators or raw skins.

5. Fur buyers, fur dealers, alligator farmers and alligator hunters engaged in the business of buying and/or selling whole alligators or alligator hides must keep within the state a complete record on forms provided by or approved by the Department, all purchases and sales of whole alligators or alligator hides as described in Title 56, and;

a. Every fur buyer, fur dealer, alligator farmer or alligator hunter having undressed alligator hides in his possession shall file with the Department within 60 days of purchase or within 60 days of tagging or prior to shipping out of state or prior to tanning skins in Louisiana, whichever occurs first, a complete report, on forms provided by or approved by the Department, a detailed description of alligator hides to be shipped or tanned. At the time of shipment or prior to tanning, Department personnel will inspect hides and replace any broken or reattached tags. Department personnel will issue the appropriate number of yellow shipping tags, one for each shipment. At that time, Department personnel will affix a seal/or locking device to each container and if container is reopened by anyone other than Department personnel or Federal personnel this action will be considered illegal. In conjunction with the inspection and prior to Department issuance of shipping tag(s) and seal(s) or locking device(s), Department personnel must collect:

i. All completed buyer/dealer records for skins in each shipment.

ii. Shipping manifest including each skin in shipment. A fully executed (filled out) shipping manifest containing all information required in the buyer/dealer record may be substituted with Department approval for the buyer/dealer record requirement on farm raised alligator skins.

iii. Stub portion of yellow shipping tag completely filled-out.

iv. Severance tax and alligator hide tag fees owed by alligator hunter, alligator farmer or fur dealer.

If any of the above requirements are not satisfied, the shipment will not be authorized.

Violation of this part is a class 3 violation as described in Title 56.

6. Fur dealers engaged in the business of buying and selling alligator hides must maintain complete records of alligator hides purchased inside and outside the state as described in Title 56. Fur dealers in the business of tanning alligator hides must provide a monthly report, on forms provided by or approved by the Department, of all alligator hides being held in inventory. Failure to maintain complete records and to pay the required severance tax and alligator hide tag fees

subjects any dealer to the full penalties provided and the immediate revocation of his license by the Department. No license shall be issued to a dealer who has not paid the tax and alligator hide tag fees for the preceding year. Violation of this part is a class 3 violation as described in Title 56.

7. Alligator parts dealers acquiring alligator parts, shall complete an official alligator parts purchase form at the time of each purchase. Alligator parts dealers selling alligator parts, shall complete an official alligator parts sale form at the time of each sale. These forms shall be furnished by or approved by the Department and shall be submitted to the Department annually, no later than June 30, and;

a. Alligator parts dealers shall furnish a bill of sale to anyone purchasing alligator parts.

b. The records of transactions involving alligator parts shall be available for inspection by the Department and shall be maintained complete for a period of one year following any transaction.

Violation of this part is a class 2 violation as described in Title 56.

8. Any alligator parts retailer purchasing finished alligator parts shall maintain a bill of sale for each purchase for a period of six months after such purchase and these records shall be available for inspection by the Department. Violation of this part is a class 2 violation as described in Title 56.

#### **I. Alligator Meat**

1. Alligator meat from lawfully taken alligators can only be sold according to state and federal laws, Louisiana Department of Health and Hospitals regulations and Louisiana Wildlife and Fisheries Commission regulations. Violation of this part is a class 3 violation as described in Title 56.

2. Alligator meat processed in the State of Louisiana and sold for human consumption must be processed in a licensed facility approved by the Louisiana Department of Health and Hospitals and the facility must display a valid permit issued by that agency. Violation of this part is a class 2 violation as described in Title 56.

3. All processed alligator meat for sale must be packaged in suitable containers which identifies the contents as alligator meat, marked with a valid Department license number and comply with all state and federal packaging and labeling requirements. Violation of this part is a class 2 violation

as described in Title 56.

4. All alligator meat shipped into the state and being offered for sale must meet all of Louisiana's health, processing, packaging and labeling requirements. Violation of this part is a class 2 violation as described in Title 56.

**M. Disposal of Alligators by the Department**

1. The Department may sell alligators, alligator eggs or parts of alligators taken for any purpose deemed necessary for proper management of the species pursuant to Title 56.

2. The Department may dispose of alligators, alligator eggs, or parts of alligators by donation or lending to a scientific institution or other institutions that the Department deems have need for such alligators, however these institutions cannot sell or barter these animals which must be returned to the Department at the conclusion of the program or need.

3. Confiscated alligator hides and parts may be destroyed by the Department pending the outcome of the criminal trial.

4. Confiscated alligator eggs or live alligators may be sold or may be cared for by the Department and released in suitable alligator habitat when and where they can survive when appropriate. All costs incurred by the Department in the maintenance of these eggs and animals in captivity shall be the responsibility of the offender and restitution shall be made to the Department. The Department may consign confiscated alligators to a licensed farm for raising purposes and may compensate the farmer for his expenses by transferring ownership to him of a percentage of the confiscated alligators; not to exceed 50%.

**N. Alligator Egg Collection**

1. Alligator egg collection permits are a three party permit between the Department, the permittee and a landowner/manager who owns or leases alligator nesting habitat determined by Department biologists to be capable of producing alligator eggs. The numbers of eggs to be collected will be based upon biological management criteria and will be determined annually by technical staff of the Department. The Department only estimates the numbers of eggs available and assumes no responsibility or offers no guarantee that those numbers of eggs will be available. Alligator egg collection permits may be obtained upon application to the Department on forms provided by the Department. The annual deadline for submitting applications for Alligator Egg Collection Permits is June 1. This program is experimental and may be changed at any time based on biological data to insure for proper

management of the wild alligator population.

2. Alligator egg collection permits may be issued by the Department provided:

a. Permittee is a properly licensed alligator farmer and meets all applicable requirements in Subsection O of these regulations (Alligator Farm Facility Requirements).

b. All land documentation required on the alligator egg collection permit has been presented to the Department.

c. Department biologists determine the properties described on the permit application are indeed alligator nesting habitat and can sustain alligator egg collections.

d. Applicant has obtained all legal and necessary signatures from landowners/land managers.

3. It is unlawful for an alligator farmer or a permitted Designated Collection Agent to collect eggs from properties other than those described in the alligator egg collection permit. Violation of this part is a class 4 violation as described in Title 56.

4. An alligator farmer or designated collection agent in the act of collecting or possessing alligator eggs must possess on his or her person a copy of the fully executed alligator egg collection permit. The designated collection agent must also possess a valid designated collection agent permit.

Violation of this part is a class 3 violation as described in Title 56.

5. Collection of wild alligator eggs can only be made after contacting the appropriate regional supervisor of the Enforcement Division no less than 24 hours prior to each collection trip.

Violation of this part is a class 3 violation as described in Title 56.

6. Alligator eggs can only be collected from the wild from official sunrise to official sunset and only during the established alligator egg collection season and shall not exceed the number on his Alligator Egg Collection Permit. Violation of this part is a class 4 violation as described in Title 56.

7. Alligator eggs collected from the wild must be collected and transported in a manner which insures the greatest



survival of viable eggs as determined by Department biologists. Violation of this part is a class 3 violation as described in Title 56.

8. Failure to hatch at least 70% of viable alligator eggs collected from the wild shall be considered a waste of Louisiana's natural resources. All alligator egg collection permits shall be revoked and no new permits issued should an alligator farmer be found to waste the resources of this state for two consecutive years.

9. Alligator egg collection permits shall be revoked and no new permits issued to alligator farmers who fail to average a minimum hatchling survival rate of 85% for two consecutive years.

10. The alligator egg collection permittee and the landowner are responsible for the return of the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates will be based upon the state average hatching success which is 78%. Each alligator shall be returned to the original egg collection area within a maximum time of two (2) years from date of hatching. Each alligator shall be a minimum of 36" and a maximum of 60" (credit will not be given for inches above 60") in size and the returned sex ratio should contain at least 50% females. The alligator egg collection permittee/landowner are responsible for and must compensate in kind for alligator mortality which occurs for Department authorized return to the wild alligators; while being processed, stored, or transported. The Department shall be responsible for supervising the required return of these alligators. A Department transfer authorization permit is not required for return to the wild alligators which are delivered to the farm of origin no more than 48 hours prior to being processed for wild release. Releases back to the wild will only occur between March 15 and September 30 of each calendar year provided that environmental conditions as determined by the Department are favorable for survival of the released alligators. Should an alligator egg collection permittee be unable to release the required number of alligators to the wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the Department. Department sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this part is a class 4 violation as described in Title 56.

11. The percentage of alligators to be returned to the wild shall be selected from the healthiest of all alligators of

that year class. Abnormal or deformed alligators are not acceptable for release into the wild. It is unlawful for alligators that are to be returned to the wild to be transported out of state. Violation of this part is a class 4 violation as described in Title 56.

**O. Alligator Farm Facility Requirements**

1. All first time applicants for a nongame quadruped breeder's or exhibitor's license who will house alligators on their premises shall show compliance of the following minimum facilities as applicable to their particular operation during a required facility examination by Department personnel prior to license issuance:

a. Secured premises with adequate barriers to prevent escape of enclosed alligators and entry by alligators from outside the farm and to deter theft of alligators.

b. Source of clean, fresh water which shall be adequate to ensure for proper care of all alligator stock and facilities. This requirement shall be determined by Department personnel.

c. Provisions for both dry area and pooled water within the secured area adequate for the numbers of alligators to be housed on the premises. This requirement will be determined by Department personnel.

d. Provision for winter protection, either through adequate denning space or an enclosed, controlled-temperature environment of a design acceptable to the Department.

e. All controlled-temperature alligator sheds (environmental chambers) shall be of a design acceptable to the Department. Each shed shall maintain a minimum water and air temperature of 80 degrees Fahrenheit. Minimum space requirements for alligators housed in the shed shall be:

i. One square foot of space shall be required for each alligator less than 24" in length.

ii. Three square feet of space shall be required for each alligator measuring 25" to 48" in length.

iii. One additional square foot of space shall be required for each additional 6 inches of alligator length for alligators above four feet in length.

f. All alligator egg incubators shall be of a design

acceptable to the Department. Each incubator shall maintain a water and air temperature of 85 to 91 degrees Fahrenheit during the egg incubation.

g. Applicant must be in compliance with all laws and regulations pertaining to zoning, construction, health and environmental standards and must possess any and all applicable permits and licenses.

h. All alligator facilities should be constructed in a suitable location so as to minimize contact with people.

2. Following initial issuance of applicable license, all applicable facility requirements shall be adhered to and Department personnel have the authority to inspect any and all of the facilities at any time. Failure to adhere to the requirements shall be a violation of these rules and violators will be given 60 days to correct the problem. Failure to comply shall result in confiscation of all animals and/or closure of all facilities. Violation of this part is a class 3 violation as described in Title 56.

3. All alligator farmers possessing alligator eggs outside an alligator nest should house these eggs in an incubator providing constant temperature and humidity conditions. All incubators used to incubate alligator eggs shall be of a design to allow for maximum temperature control and conform to Department requirements to allow for the maximum hatching success. Violation of this part is a class 3 violation as described in Title 56.

4. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers which maintain a minimum temperature of 80 degrees Fahrenheit year round and containing dry and wet areas of sufficient surface area to permit all alligators to partially submerge in water. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the Department to move them to outside growth areas. Violation of this part is a class 3 violation as described in Title 56.

5. Alligator farmers shall house alligators of different lengths into at least three groups, providing separation for all alligators less than two feet in length, two to four feet in length, and over four feet in length. Land and water areas sufficient for partial submersion or exit from water shall be provided for each group of alligators held. Violation of this part is a class 3 violation as described in Title 56.

6. All facilities, alligator stock, and records are subject to examination by Department personnel prior to permitting and

thereafter during farm operation. Violation of this part is a class 3 violation as described in Title 56.

7. It shall be unlawful for alligator eggs or alligators to be moved from a licensed premises without permitting/approval of the Department. Violation of this part is a class 3 violation as described in Title 56.

8. Any alligator egg or alligator raised on an alligator farm shall be cared for under conditions that do not threaten the survival of such egg and alligator as determined by the biological staff of the Fur & Refuge Division. In making such determination, Fur & Refuge Division biologists shall take into consideration sanitary conditions, temperature control, feeding, overcrowding and other conditions which effect the survival of alligator eggs and alligators. If the biological staff of the Fur & Refuge Division determines that the survival of any alligator egg or alligator is threatened due to the conditions on an alligator farm, the Department shall notify the alligator farmer and shall provide the farmer with 60 days to take corrective action. If the farmer fails to take corrective action within 60 days, the Department shall have the authority to confiscate any alligator egg or alligator which remains under conditions that threaten the survival of such alligator egg or alligator and to dispose of such alligator egg or alligator as the Department deems necessary. Violation of this part is a class 4 violation as described in Title 56.

**P. Exceptions**

1. The Department or an authorized representative of the Department may take by any means and possess alligators, alligator eggs, or parts of alligators while in the performance of official duties.

2. These regulations shall not prohibit a person from killing an alligator in immediate defense of his or her life or the lives of others. Alligators killed under this provision must be reported to the Department within 24 hours.

**Q. Penalty for Violation**

1. In order to facilitate greater control over alligator trafficking, the Louisiana Department of Wildlife and Fisheries finds that public welfare imperatively requires emergency action when the provisions of these regulations are violated.

2. In addition to all penalties set forth herein, violators may be subject to criminal prosecution under provisions of the Louisiana Revised Statutes, particularly Titles 14 and 56 and

under Federal law.

3. In addition to all other penalties provided by these rules and by statute, violation of any part of these regulations may result in the suspension and/or revocation of any or all alligator licenses/permits held by the violator and, as further penalty, for serious, repeat, or multiple violations, the Department shall have the right to deny a violator any and all licenses/permits relating to alligators for a period not to exceed three (3) years.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:115, 259, 261, 262, 263 and 280.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16:1070 (December 1990), Amended L.R. 17:892 (September 1991), Amended L.R. 19:215 (February 1993).

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

August 26, 1993

## MEMORANDUM

TO: Mr. Bert Jones, Chairman and Commission Members

FROM: Joe L. Herring *JLH*

RE: Out of State Trip License Fees

One of the items for discussion on the September 2, 1993 Commission meeting is out-of-state trip license fees. The Department has received, according to License Section, well over 100+ complaints on this increase. Some Legislators have expressed their opinion and the House Natural Resources Committee clerk has contacted the License Section pertaining to this matter.

For your information and discussion purposes find attached:

1. Sport license sales by parish for 1991-92, latest figures.
2. License type and fees
3. License fees adjacent states - Alabama, Arkansas, Florida, Mississippi, Texas with Louisiana included for comparison.
4. Non-resident types of licenses

If additional information is needed prior to the meeting, please let us know.

Thanks!

JLH/pc

C: Mr. Fred Prejean, Undersecretary  
Mr. Clyde Kimball, Deputy Secretary  
Mr. Lee Caubarreux, Asst. Secretary, Office of Wildlife  
Mr. Corky Perret, Asst. Secretary, Office of Fisheries  
Mrs. Wynnette Kees, Fiscal Officer

NAME	AGE	SEX	DOB	POB	REL	STATUS	REMARKS
ALLEN, JAMES	25	M	1945-03-15	NEW YORK	SON	W	...
BROWN, SARAH	22	F	1948-07-22	NEW YORK	DAUGHTER	W	...
CHAMBERLAIN, ROBERT	28	M	1942-11-08	NEW YORK	SON	W	...
CLARK, LUCAS	24	M	1946-05-01	NEW YORK	SON	W	...
COOPER, ELEANOR	26	F	1944-09-12	NEW YORK	DAUGHTER	W	...
DAVIS, WILLIAM	23	M	1947-02-28	NEW YORK	SON	W	...
EDWARDS, MARY	21	F	1949-06-10	NEW YORK	DAUGHTER	W	...
FERGUSON, JOHN	27	M	1943-10-05	NEW YORK	SON	W	...
GILBERT, ANNE	24	F	1946-04-18	NEW YORK	DAUGHTER	W	...
GRANT, ROBERT	26	M	1944-08-25	NEW YORK	SON	W	...
GREEN, LUCAS	23	M	1947-01-12	NEW YORK	SON	W	...
HARRIS, SARAH	22	F	1948-03-03	NEW YORK	DAUGHTER	W	...
HENDERSON, WILLIAM	25	M	1945-07-19	NEW YORK	SON	W	...
HILL, MARY	21	F	1949-11-04	NEW YORK	DAUGHTER	W	...
JACKSON, JOHN	27	M	1943-05-27	NEW YORK	SON	W	...
KELLY, ANNE	24	F	1946-09-14	NEW YORK	DAUGHTER	W	...
LEWIS, ROBERT	26	M	1944-02-08	NEW YORK	SON	W	...
LYNCH, LUCAS	23	M	1947-06-21	NEW YORK	SON	W	...
MAHONEY, SARAH	22	F	1948-10-09	NEW YORK	DAUGHTER	W	...
MCCARTHY, WILLIAM	25	M	1945-04-23	NEW YORK	SON	W	...
MILLER, MARY	21	F	1949-08-16	NEW YORK	DAUGHTER	W	...
MORRIS, JOHN	27	M	1943-12-01	NEW YORK	SON	W	...
MURPHY, ANNE	24	F	1946-03-25	NEW YORK	DAUGHTER	W	...
NEAL, ROBERT	26	M	1944-07-11	NEW YORK	SON	W	...
NICHOLS, LUCAS	23	M	1947-11-28	NEW YORK	SON	W	...
OLSON, SARAH	22	F	1948-05-13	NEW YORK	DAUGHTER	W	...
PETERSON, WILLIAM	25	M	1945-09-27	NEW YORK	SON	W	...
PHILLIPS, MARY	21	F	1949-01-19	NEW YORK	DAUGHTER	W	...
POPE, JOHN	27	M	1943-06-04	NEW YORK	SON	W	...
REED, ANNE	24	F	1946-10-20	NEW YORK	DAUGHTER	W	...
ROBERTS, ROBERT	26	M	1944-02-15	NEW YORK	SON	W	...
ROSS, LUCAS	23	M	1947-05-30	NEW YORK	SON	W	...
SCHMIDT, SARAH	22	F	1948-09-17	NEW YORK	DAUGHTER	W	...
SEAN, WILLIAM	25	M	1945-12-06	NEW YORK	SON	W	...
SMITH, MARY	21	F	1949-04-22	NEW YORK	DAUGHTER	W	...
SNYDER, JOHN	27	M	1943-08-08	NEW YORK	SON	W	...
SPENCER, ANNE	24	F	1946-11-24	NEW YORK	DAUGHTER	W	...
STEIN, ROBERT	26	M	1944-03-10	NEW YORK	SON	W	...
SWANSON, LUCAS	23	M	1947-07-26	NEW YORK	SON	W	...
TAYLOR, SARAH	22	F	1948-11-12	NEW YORK	DAUGHTER	W	...
TELFORD, WILLIAM	25	M	1945-03-28	NEW YORK	SON	W	...
THOMAS, MARY	21	F	1949-07-14	NEW YORK	DAUGHTER	W	...
TOLSON, JOHN	27	M	1943-11-01	NEW YORK	SON	W	...
TORRES, ANNE	24	F	1946-04-17	NEW YORK	DAUGHTER	W	...
TUCKER, ROBERT	26	M	1944-08-03	NEW YORK	SON	W	...
TURNER, LUCAS	23	M	1947-12-19	NEW YORK	SON	W	...
VAUGHAN, SARAH	22	F	1948-06-05	NEW YORK	DAUGHTER	W	...
WEBB, WILLIAM	25	M	1945-10-21	NEW YORK	SON	W	...
WELCH, MARY	21	F	1949-02-07	NEW YORK	DAUGHTER	W	...
WILLIAMS, JOHN	27	M	1943-06-23	NEW YORK	SON	W	...
WILSON, ANNE	24	F	1946-10-09	NEW YORK	DAUGHTER	W	...
WINTER, ROBERT	26	M	1944-02-25	NEW YORK	SON	W	...

	License Type	# per page	Cost per page	Cost per license	
47	Res. Hook & Line	20	40.00	2.50	
24	Resident Fishing	20	100.00	5.50	
25	Non-Res Fish Season	6	183.00	31.00	
26	Non-Res Fish Trip (7 days)	6	153.00	26.00	
27	Resident Saltwater	20	100.00	5.50	
48	Non-Res Salt Season	6	213.00	36.00	\$67.00
49	Non-Res Salt Trip (7 days)	6	153.00	26.00	\$52.00
28	Resident Hunting	20	200.00	10.50	
29	Non-Res Hunt Season	6	513.00	86.00	
30	Non-Res Hunt Trip (5 days)	6	303.00	51.00	
31	Resident Big Game	20	200.00	10.50	
70	Non-Res All Game Season	6	960.00	160.50	
71	Non-Res All Game Trip(5 days)	6	570.00	95.50	
33	Resident Bow	6	60.00	10.50	
51	Non-Res Bow	6	150.00	25.50	
34	Trapper (15 and older)	6	150.00	25.00	
50	Trapper (14 and younger)	6	30.00	5.00	
35	Non-Res Trapper	6	1200.00	200.00	
37	Non-Res Mig. Bird (3 days)	6	270.00	45.50	
52	Res. Muzzleloader	6	60.00	10.50	
53	Non-Res Muzzleloader	6	150.00	25.50	
54	Resident Waterfowl	30	135.00	5.00	
55	Non-Res Waterfowl	30	210.00	7.50	
56	Non-Res 2 day Combo	6	135.00	23.00	
72	Res. Universal License	6	315.00	53.00	
73	Wild Louisiana Stamp	<del>6</del>	<del>30.00</del>	5.50	

\*\*\*The Non-Res All Game Licenses include both the Hunting and Big Game.

\*\*\*The Universal License includes Basic Fish, Saltwater, Basic Hunting, Big Game, Bow, and Muzzleloader.



#3

State of Residence	N/R Fish Season	N/R Salt Season	N/R Fish Trip	N/R Salt Trip	N/R Hunt Season	N/R Hunt Trip	N/R Bow	N/R Mig. Game Bird	N/R Muzzle	N/R All Game Season	N/R All Game Trip
ALABAMA	\$31.00 Combo \$61.00	\$47.00 Can purchase just Saltwater	7-day \$16.00	7-day \$32.00	\$17.00	7-day \$16.00	N/A		N/A	\$177.00	7-day \$52.00
ARKANSAS	\$25.00		14-day \$15.00 3-day \$8.00		\$50.00	5-day \$30.00	in- cluded in All Game		in- cluded in All Game	\$150.00 Inc. muzzle & bow	5-day \$100.00 3-day \$75.00
FLORIDA	\$30.00	\$30.00	7-day \$15.00	7-day \$15.00			\$5.00		\$5.00	\$150.00	10-day \$25.00
MISSISSIPPI	\$25.00	\$20.00	3-day \$6.00	\$6.00	\$75.00	5-day \$30.00	\$30.00 Inc. muzzle.		(see bow)	\$225.00 does not inc. bow or muzzle	3-day \$105.00
TEXAS	\$20.00	\$7.00 Saltwater stamp	5-day \$10.00	\$7.00 Salt- water stamp	\$75.00	5-day \$25.00	\$7.00			\$200.00 does not include bow	
LOUISIANA	\$31.00	\$36.00	7-day \$26.00	7-day \$26.00	\$86.00	5-day \$51.00	\$25.50	3-day \$45.50	\$25.50	\$160.50 does not include in- bow or muzzle.	5-day \$95.50

\*2 Day Combo  
\$22.00

(41)

N/R LICENSE TYPES	92/93 7/1/92	93/94 7/1/93	93/94 8/1/93
N/R FISHING TRIP (7-DAY)	10.50	15.50	26.00
N/R FISHING SEASON	15.50	20.50	31.00
N/R SALTWATER TRIP (7 DAY)	15.50	15.50	26.00
N/R SALTWATER SEASON	25.50	25.50	36.00
N/R HUNTING TRIP (5 DAY)	40.50	40.50	51.00
N/R HUNTING SEASON	75.50	75.50	86.00
N/R BIG GAME	40.50		
N/R ALL GAME SEASON		150.00	160.50
N/R ALL GAME TRIP (5 DAY)		85.00	95.50
N/R MIGRATORY GAME BIRD (3 DA	25.00	35.00	45.50
N/R BOW	10.50	15.00	25.50
N/R MUZZLELOADER	10.50	15.00	25.50
N/R 2 DAY SW-FW FISHING	8.50	12.50	23.00
TO SALTWATER FISH	31.00	46.00	67.00
TO SALTWATER FISH TRIP	26.00	31.00	52.00
TO HUNT BIG GAME	116.00	150.00	160.50

WAS A 3 DAY TRIP IN 92/93

REPLACED BY ALL-GAME

COMPARABLE TO HUNTING & BIG GAME COMBINED  
COMPARABLE TO HUNTING & BIG GAME COMBINED

**RULE**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

The Wildlife and Fisheries Commission does hereby amend, in accordance with the Administrative Procedure Act, the legal menhaden fishing season.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic Life**

**Chapter 3. Saltwater Sport and Commercial Fishing**

**§307. Menhaden Season**

A. The season for the taking of menhaden as well as processing of menhaden shall be from the third Monday in April through November 1.

**\* \* \***

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:313, 56:6(25)(a) and 56:326.3.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:329 (October 1979), amended LR 14:547 (August 1988), amended LR 19:58 (January 1993), amended LR (September 1993).

**Bert H. Jones**

**Chairman**

## RULE

DEPARTMENT OF WILDLIFE AND FISHERIES  
OFFICE OF FISHERIES

The Department of Wildlife and Fisheries (DWF) hereby adopts the following rule establishing freshwater mussel harvest regulations.

## TITLE 76

## WILDLIFE AND FISHERIES

## PART VII. FISH AND OTHER AQUATIC LIFE

Chapter 1. Freshwater Sports and Commercial Fishing  
Section 161. Freshwater Mussel Harvest

## Part I. Commercial Harvest

## PERMITS

- A. In addition to a commercial fishing license, all mussel harvesters must obtain a mussel harvester's permit issued by DWF prior to initiation of commercial harvesting.
- B. The Secretary of DWF shall have the authority to limit the number of mussel harvester permits, cease issuance of new permits, or close the season entirely if it is deemed necessary to protect the mussel resource.
- C. In addition to a wholesale/retail dealer's license, all mussel buyers must obtain a mussel buyer's permit issued by DWF.

## FEES

- A. An annual permit fee of \$100.00 for resident mussel fishermen and \$1000.00 for non-resident mussel fishermen will accompany the permit application. This fee will be applicable for one calendar year. If the permit application is disapproved, the fee will be refunded to the applicant.
- B. An annual permit fee of \$150 for resident mussel buyers and \$600 for non-resident mussel buyers will accompany the permit application. This fee will be applicable for one calendar year. If the permit application is disapproved, the fee will be refunded to the applicant.

## GEAR

- A. Mussels shall be harvested by hand only, with or without underwater breathing apparatus.

## SPECIES FOR COMMERCIAL HARVEST

- A. Only the following taxa may be legally harvested:
 

washboard	<u>Megalonias nervosa</u>
pimpleback	<u>Quadrula spp.</u>
three ridge	<u>Amblema plicata</u>
ebonyshell	<u>Fusconia ebena</u>
bluefer	<u>Potamilus (Proptero) purpuratus</u>
Asian clam	<u>Corbicula fluminea</u>
- B. Only specimens larger than the following minimum sizes shall be harvested:
 

washboard	4 inches
three ridge and bluefer	3 inches
pimpleback and ebony shell	2 3/4 inches
Asian clam	no size limit

Minimum size will be measured by passing the specimen through a ring with the inside diameter equivalent to the minimum size given for each taxa. Only those individuals that will not pass through the ring (from any angle) may be retained. Any individuals that pass through the rings must be immediately returned to the original mussel bed unharmed.

## TIMING OF HARVEST

- A. Mussels may be harvested year-round between official sunrise and official sunset; except that, commercial harvest of mussels will be closed on Saturdays and Sundays of each week.

## AREAS OPEN TO HARVEST

- A. Unless otherwise stated, all publicly owned water bottoms in Louisiana outside of officially recognized saltwater areas (R.S. 56:322A and 322B) are open to harvest.
- B. Because of the presence of threatened or endangered species of mussels, commercial mussel harvest is prohibited in the following areas:
  1. Atite River from the Junction with Bayou Manchac to the Mississippi state line.
  2. All of Rapides and Grant Parishes except the main channel of the Red River.
- C. Additional areas may be closed by the Secretary of DWF if deemed necessary to protect local mussel populations.

## REPORTING

- A. Commercial mussel harvesters and mussel buyers must file reports to the DWF of harvesting or buying activities conducted under their mussel permit on forms furnished by the Department. Time and frequency of filing reports shall be specified on the permit and shall be subject to change by the Department upon written notification to the commercial harvester or buyer. Written notification of changes and reporting requirements sent by the Department to commercial harvesters or buyers at the address on permittees most recent application or permit shall become part of the harvester's permit and must be maintained by the permittee along with the permit.
- B. Commercial harvesters must contact DWF and provide information on harvesting location at least 24 hours prior to the first day of harvesting activities on that location. The harvester must also notify DWF within 24 hours when harvesting at that location has been completed. Information on harvesting locations will be given to DWF but will be kept confidential.

## SPECIAL RESTRICTIONS

- A. Meats shall not be used or sold for human consumption.
- B. Mussels shall be transferred whole (unopened with meat) from the collection site directly to an in-state buyer for processing.
- C. Buyer must render meats unsuitable for human consumption then dispose of meats, as per DEQ regulations for disposal of solid waste.
- D. If the mussel harvester prefers to personally process the mussels rather than sell whole mussels to a buyer, approval must be first obtained from DWF. Meat disposal requirements will be the same for buyers under special restrictions as in Section C.

#### PENALTIES

- A. Failure to abide by the above rules shall result in revocation of permit and forfeiture of future permits for a 3 year period after which issuance or denial of a permit will be at the discretion of the Secretary of the DWF.

#### Part II. Recreational Harvest

##### GENERAL HARVEST RESTRICTIONS

- A. Freshwater mussels may be taken year-round between official sunrise and official sunset for recreational purposes with a basic recreational fishing license. The daily possession limit is 50 whole mussels, or 100 separate valves, of one species or in aggregate.
- B. Mussels shall be harvested by hand only; no diving with underwater breathing apparatus will be permitted.
- C. No size limits will apply to recreational harvest.
- D. All species of freshwater mussels may be harvested for recreational purposes except that no live or dead specimens of inflated heelsplitter (Potamilus [Proptera] inflatus) or Louisiana pearlshell (Margaritifera hembeli) may be harvested or intentionally disturbed.

##### AREAS OPEN TO HARVEST

- A. Unless otherwise stated, all public water bottoms in Louisiana outside of officially recognized saltwater areas (R.S. 56:322A and 322B) are open to harvest.
- B. Because of the presence of threatened or endangered species of mussels, recreational mussel harvest is prohibited in the following areas:
1. Atchafalaya River from the junction with Bayou Manchac to the Mississippi state line.
  2. All of Rapides and Grant Parishes except the main channel of the Red River.
- C. Additional areas may be closed by the Secretary of DWF if deemed necessary to protect local mussel populations.

##### SPECIAL RESTRICTIONS

- A. Meats shall not be used for human consumption.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:450.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, LR

#### ADDENDUM: AN ACT:

To amend and reenact R.S. 56:450(A), relative to freshwater mussels; to provide for harvesting permit fees for nonresidents; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:450(A) is hereby amended and reenacted to read as follows:

5450. Freshwater mussels; rules; penalties

A. The secretary of the Department of Wildlife and Fisheries shall adopt rules, developed and proposed by the department, to regulate the harvest of freshwater mussels. Such rules shall provide for open areas, species eligible for harvest, harvest methods, permits, fees, and other provisions necessary to implement this Section. In no case shall the annual permit fee for nonresidents be less than one thousand dollars per person harvesting freshwater mussels.

**RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
Dealer Receipt Form**

**WHEREAS, Louisiana Revised Statute 56:303.7 (B) requires the Louisiana Wildlife and Fisheries Commission to establish a Dealer Receipt Form to be used by wholesale/retail dealers who purchase fish from commercial fishermen, and**

**WHEREAS, The Louisiana Wildlife and Fisheries Commission has established through LAC Part VII, Chapter 2, 76:201 (F) a starting date of July 1, 1992 for full implementation of the Dealer Receipt Form, and**

**WHEREAS, House Concurrent Resolution No. 42 of the 1992 Louisiana Regular Session did suspend until 60 days after the 1993 Regular Session the implementation of the provisions of R.S. 56:303.7 (B), relative to the receipt form due to budgetary constraints of the Department of Wildlife and Fisheries, and**

**WHEREAS, The Department of Wildlife and Fisheries has not yet been provided sufficient funding to implement the program for fiscal year 1993-1994.**

**Therefore, Be It Resolved that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the full implementation date of the Dealer Receipt Forms from July 1, 1992 to January 1, 1995. The Notice of Intent attached to and made a part of this resolution is hereby approved.**

**BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.**

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**Bert Jones  
Chairman**

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**Joe L. Herring  
Secretary**

**NOTICE OF INTENT**  
**DEPARTMENT OF WILDLIFE AND FISHERIES**  
**WILDLIFE AND FISHERIES COMMISSION**  
**DEALER RECEIPT FORM**

The Louisiana Wildlife and Fisheries Commission hereby expresses intent to amend the full implementation date of the Dealer Receipt Form from July 1, 1992 to January 1, 1995.

**TITLE 76**  
**WILDLIFE AND FISHERIES**  
**PART VII. FISH AND OTHER AQUATIC LIFE**

**Chapter 2. General Provisions**

**Section 201. Commercial Fisherman's Sales Card; Dealer Receipt Form**

**F. Effective date of Part A and B of this regulation is upon publication in the Louisiana State Register. Effective date for Parts C, D, and E of this regulation will be January 1, 1995.**

Interested persons may submit written comments on the proposed amendment to the following address before November 1, 1993: Joseph Shepard, Programs Manager, Marine Fisheries Division, Department of Wildlife and Fisheries, Post Office Box 98000, Baton Rouge, LA 70898-9000,

**Authority Note: Promulgated in accordance with R.S. 56:303.7.**

**Historical Note: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 18:81 (January, 1992), repromulgated LR 18:198 (February, 1992).**

**Bert Jones**  
**Chairman**

**RESOLUTION**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**Commercial Fisherman's Sales Report Form**

**WHEREAS, Louisiana Revised Statute 56:345 (B) requires the Louisiana Wildlife and Fisheries Commission to establish a Commercial Fisherman's Report Form to be used by commercial fishermen to report in detail the quantity of each kind of fish sold to anyone other than a resident wholesale/retail dealer, and**

**WHEREAS, The Louisiana Wildlife and Fisheries Commission has established through LAC Part VII, Chapter 2, 76:203 (D) a starting date of July 1, 1992 for full implementation of the Commercial Fisherman's Report Form, and**

**WHEREAS, The Department of Wildlife and Fisheries has not yet been provided sufficient funding to implement the program for fiscal year 1993-1994.**

**Therefore, Be It Resolved that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend the full implementation date of the Commercial Fisherman's Sales Report Forms from July 1, 1992 to January 1, 1995. The Notice of Intent attached to and made a part of this resolution is hereby approved.**

**BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.**

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**Bert Jones**  
**Chairman**

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**Joe L. Herring**  
**Secretary**



**NOTICE OF INTENT**

**DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION**

**COMMERCIAL FISHERMAN'S SALES REPORT FORM**

**The Louisiana Wildlife and Fisheries Commission hereby expresses Intent to amend the full implementation date of the Commercial Fisherman's Sales Report Form from July 1, 1992 to January 1, 1995.**

**TITLE 76**

**WILDLIFE AND FISHERIES**

**PART VII. FISH AND OTHER AQUATIC LIFE**

**Chapter 2. General Provisions**

**Section 203. Commercial Fisherman's Sales Report Form**

**D. The effective date of this regulation is January 1, 1995.**

**Interested persons may submit written comments on the proposed amendment to the following address before November 1, 1993: Joseph Shepard, Programs Manager, Marine Fisheries Division, Department of Wildlife and Fisheries, Post Office Box 98000, Baton Rouge, LA 70898-9000,**

**Authority Note: Promulgated in accordance with R.S. 56:345(B).**

**Historical Note: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 18:82 (January, 1992), repromulgated LR 18:198 (February, 1992).**

**Bert Jones  
Chairman**

SUMMARY  
OPENING OF FALL SHRIMP SEASON

The Fall Inshore Shrimp Season opened statewide as scheduled at 6 a.m. August 16, 1993. As expected the size of the shrimp taken on opening day were in the 40/50 and 50/60 count per pound range. Catches however were somewhat less than what had been expected, particularly in the central portion of the state and in Zone 3. The reason for these low catches were apparently linked to an offshore movement of the larger white shrimp during the later part of the week before the season opened. A brief summary of opening day results in each of the Coastal study Areas is as follows:

ZONE 1

Area I - Catches varied greatly throughout the area. Commercial catches ranged from 100 pounds to as much as 3000 pounds, with the largest catches coming from the Chandeleur Sound area. Brown shrimp made up 25% of the catch and averaged 40/50 count per pound. White shrimp ranged from 21/25 to 80/100 count per pound with the average being 60/70 count per pound. Recreational fishermen caught shrimp in the same size range but catches were rather poor with the average catch being about 25 pounds. Recreational turnout was very low.

Area II - Catches in this area were very poor. Commercial catches averaged 100 pounds of 40/50 and 50/60 count per pound white shrimp. Recreational fishing was practically non-existent. This is not unusual for this area which seldom produces white shrimp at the beginning of the season.

ZONE 2

Area III - Catches were very poor. Many commercial boats reported catches of less than 100 pounds, however interviews showed that the average catch was between 100 and 150 pounds. White shrimp throughout the area were 40/50 and 50/60 count per pound. recreational effort was very low and catches were poor.

Area IV - Originally this area held good numbers of white shrimp, however on opening day catches were very poor. It is thought that many of the shrimp had moved offshore before the opening. Commercial catches ranged from 50 to 200 pounds of mostly 50/60 count per pound shrimp. Recreational trawlers averaged about 20 pounds.

Area V - A movement of shrimp to the offshore areas is suspected as the cause for poor catches in this area. Commercial vessels caught from 100 to 200 pounds of mostly 60/70 count per pound shrimp. Recreational trawlers caught about 25 to 30 pounds of mostly 70/80 count per pound shrimp.

Area VI - This area produced the largest catches reported on opening day. Commercial vessels were catching about 115 pounds per hour of 31/35 count per pound white shrimp. Recreational effort was below normal and it was speculated that this was due to the fact that the New Iberia newspaper did not print the opening date. Recreational catches averaged 93 pounds of 31/35 count per pound white shrimp.

ZONE 3

Area VII - Both commercial and recreational effort in this area was the lowest ever recorded and catches were very poor. Low catches were the result of a large offshore

movement of shrimp the week prior to the opening. Boats fishing the near-shore areas reported good catches during the later portion of the week prior to the opening day. Commercial vessels in Calcasieu Lake reported catches of about 40 pounds of mostly 40/50 count white shrimp. Boats fishing the Ship Channel did well, averaging 740 pounds of white shrimp ranging from 40/50 to 70/80 count per pound. The largest catch reported from one boat was 7000 pounds of 40/50 and 60/70 count per pound shrimp.

Overall the opening can be classified as poor, however this is not an uncommon occurrence for the fall season. The most significant catches of white shrimp during the fall season generally begin with the passage of cold fronts in late September or early October with the bulk of the white shrimp crop being landed from October through November.

## MONTHLY CIVIL RESTITUTION REPORT 1992-93

PERIOD	NO. CASES ASSESSED	AMOUNT ASSESSED	CREDIT FOR NO. SALE GOODS	CASES PAID	AMOUNT PAID	DISCOUNTS TAKEN
July, 1992	105	26,553	(10,515)	103	5,578	
Aug, 1992	137	26,153	(3,241)	95	5,292	
Sept, 1992	214	34,341	(3,245)	82	6,186	
Oct, 1992	346	238,388	(19,670)	119	8,310	292
Nov, 1992	34	17,264		220	11,744	4,651
Dec, 1992	122	76,371	(7,012)	97	5,042	1,275
Jan, 1993	77	35,470	(979)	75	7,389	3,799
Feb, 1993	40	10,787		81	13,141	6,941
March, 1993	37	15,552	(1,876)	60	13,479	5,848
April, 1993	24	8,418	(10,809)	31	5,000	2,379
May, 1993	21	16,063	(1,599)	39	5,704	2,381
June, 1993	40	23,637	(7,454)	27	8,356	4,077
Total FY 93	1,197	528,997	(66,400)	1,029	95,221	31,643
July, 1993	25	21,039	(9,778)	29	4,855	2,545
August, 1993	53	44,922	(1,137)	41	7,950	3,603

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
CIVIL RESTITUTION ACTIVITY REPORT

DATE: 30-AUG-1993

CURRENT MONTH 08/01/1993 TO 08/31/1993 FISCAL YEAR TO DATE 07/01/1993 TO 08/31/1993 INCEPTION TO DATE 08/31/1993

ORIG RESTITUTION VALUES ENTERED  
SALE OF CONFISCATED COMMODS  
SALES EXCEEDING RESTITUTION

# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
53	\$44,921.75	78	\$69,433.67	1,611	\$790,678.56
5	\$1,137.30-	15	\$10,459.50-	228	\$162,180.90-
0	\$0.00	5	\$841.80	102	\$34,995.88

## RESTITUTION ASSESSED

PAYMENTS	41	\$7,950.05-	70	\$12,804.91-	1,005	\$115,125.45-
OVERPAYMENTS	0	\$0.00	0	\$0.00	13	\$30.12
DISCOUNTS FOR TIMELY PAYMENTS	24	\$3,603.50-	42	\$6,148.92-	389	\$38,972.42-
REFUNDS	0	\$0.00	2	\$2,247.62	4	\$2,640.42
REMUNERATION REFUNDS	0	\$0.00	0	\$0.00	2	\$7,038.85
RETURNED CHECKS	0	\$0.00	0	\$0.00	0	\$0.00
MISC. ADJUSTMENTS	0	\$0.00	0	\$0.00	0	\$0.00
DEBITS	0	\$0.00	0	\$0.00	0	\$0.00
CREDITS	0	\$0.00	0	\$0.00	4	\$991.94-
REASSESSMENTS	0	\$0.00	0	\$0.00	9	\$2,786.59
DEBITS	0	\$0.00	0	\$0.00	29	\$7,888.80-
CREDITS	0	\$0.00	0	\$0.00	0	\$0.00
ADJUST VIOLATION	0	\$0.00	0	\$0.00	0	\$0.00
DEBITS	0	\$0.00	0	\$0.00	0	\$0.00
CREDITS	0	\$0.00	0	\$0.00	0	\$0.00
WRITE-OFFS	1	\$680.72-	2	\$724.92-	32	\$4,368.89-
ASSESSMENTS WITHDRAWN	1	\$38.02-	2	\$466.42-	5	\$671.20-

## TOTAL OUTSTANDING

543 \$507,970.82

## FOOTNOTE:

PAYMENTS FROM COLLECTION EFFORT  
AMOUNT PAID TO COLLECTOR

4	\$1,000.00	4	\$1,000.00	30	\$10,162.59
	\$250.00		\$250.00		\$2,540.64

## AGING OF OUTSTANDING CASES

0 - 30 DAYS	53	\$61,793.15
31 - 60 DAYS	9	\$9,514.21
61 - 90 DAYS	5	\$7,991.07
91 - 120 DAYS	4	\$9,177.00
121 - 150 DAYS	11	\$3,296.26
151 - 180 DAYS	6	\$4,554.19
181 - 365 DAYS	242	\$302,927.43
OVER 1 YEAR UNCOLLECTABLE	187	\$107,464.21
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	26	\$1,238.16

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
CLASS I ACTIVITY REPORT

DATE: 30-AUG-1993

CURRENT MONTH 08/01/1993 TO 08/31/1993 FISCAL YEAR TO DATE 07/01/1993 TO 08/31/1993 INCEPTION TO DATE 08/31/1993

	# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
FINES	767	\$39,065.00	1,933	\$97,725.00	27,419	\$1,382,597.07
HEARING COSTS	444	\$11,100.00	648	\$16,200.00	6,238	\$155,955.00
DEBITS	0	\$0.00	0	\$0.00	0	\$275.00-
CREDITS						

TOTAL DUE		\$50,165.00		\$113,925.00		\$1,538,277.07
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	# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
PAID IN FULL	483	\$25,120.75-	1,096	\$57,364.75-	13,773	\$700,032.40-
PARTIAL PAYMENTS	21	\$1,036.37-	43	\$2,059.12-	303	\$12,499.51-
OVERPAYMENTS	5	\$910.00	23	\$2,469.00	177	\$6,950.58
REFUNDS	2	\$75.00	11	\$513.00	26	\$1,611.50
RETURNED CHECKS	0	\$0.00	0	\$0.00	12	\$600.00
MISC CHANGES						
DEBITS	0	\$0.00	0	\$0.00	12	\$180.00
CREDITS	5	\$3.63-	8	\$5.88-	66	\$61.15-
ADJUSTMENTS TO VIOLATION						
DEBITS	2	\$100.00	10	\$600.00	31	\$1,750.00
CREDITS	0	\$0.00	0	\$0.00	3	\$50.00-
VOIDS	29	\$429.25-	106	\$2,579.25-	1,162	\$48,486.63-
NOT GUILTY	11	\$550.00-	47	\$2,000.00-	192	\$9,425.00-

TOTAL OUTSTANDING

\$778,814.46

AGING OF OUTSTANDING CASES  
FROM CITATION DATE

	# CASES	AMOUNT
0 - 30 DAYS	437	\$22,015.00
31 - 60 DAYS	691	\$36,135.00
61 - 90 DAYS	423	\$24,250.00
91 - 120 DAYS	473	\$31,260.00
121 - 150 DAYS	336	\$21,711.50
151 - 180 DAYS	216	\$14,081.50
181 - 365 DAYS	1,030	\$65,560.00
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	8,828	\$563,801.46

AGING OF OUTSTANDING CASES  
FROM HEARING DATE

	# CASES	AMOUNT
PRE HEARING	1,452	\$75,525.00
0 - 90 DAYS	2,804	\$158,288.00
91 - 180 DAYS	639	\$39,910.00
181 - 270 DAYS	73	\$4,900.00
271 - 365 DAYS	1,513	\$98,574.00
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	5,953	\$401,617.46

## SHRIMP SANCTUARIES

**NEED:** Although total harvest of shrimp in Louisiana has generally been steady or increasing during the last 10 years, since 1960 there has been a steady decrease in the size of the shrimp harvested in Louisiana as well as other Gulf coast states. It is generally accepted that this has been the result of increased fishing pressure on juvenile shrimp. A number of factors have contributed to this increased fishing pressure on juvenile shrimp, including the following:

1. Shallow draft, fiberglass vessels.
2. Inboard\outboard and outboard motors.
3. Double rigging inshore.
4. More efficient gear.
5. Competition for space has moved more boats into the shallow marshes.
6. Increase in the recreational shrimping fleet which has traditionally fished the shallow marshes.

These factors have allowed shrimpers to operate in waters which were previously too shallow to fish in.

Shrimp sanctuaries have been considered as a method to reduce fishing pressure on juvenile shrimp.

While the reduction of juvenile shrimp harvest may have some economic benefit, there are no indications at this time that such a measure would significantly increase overall shrimp populations. From a biological standpoint shrimp populations are not presently in jeopardy.

**GOAL:** To reduce fishing pressure on juvenile shrimp. *+ to reduce possible damage to habitat + game life.*

- METHODS TO ACHIEVE GOALS:**
- A. Strictly enforce present closed areas.
  - B. Eliminate all harvest of shrimp in areas presently closed to commercial harvest.
  - C. Close public oyster seed grounds to shrimping.
  - D. Eliminate the harvest of shrimp in areas operating under marsh management permits.
  - E. Close additional shallow water areas within the coastal marshes.

**BENEFITS:** A. Reduce fishing pressure in nursery areas.

- B. Provide areas for juvenile shrimp to grow without interference.
- C. Eliminate the taking of shrimp too small to market.
- D. Provide opportunity for shrimp to grow and move into the larger lakes and bays (staging areas).
- E. Provide for the harvest of larger shrimp which should increase economic gain.
- F. Reduce the taking and discard of juvenile finfish and crabs.

- NEGATIVE IMPACTS:**
- A. Reduce the supply of small shrimp available for the canning and drying markets.
  - B. Limit opportunities for small vessel operators.
  - C. Displace a segment of the shrimping industry which has traditionally fished the shallow marsh areas.
  - D. Concentrate more vessels in those areas open to harvest.
  - E. Increased fishing effort in open areas may reduce individual catches.
  - F. Increase in competition for space. Concentration of vessels will cause problems for other fisheries (crabs, finfishing, etc.).
  - G. While small shrimp may be protected there are no guarantees that any additional shrimp will survive to be recruited to a larger size.
  - H. Increases in juvenile finfish and crab populations may have a negative impact on juvenile shrimp populations.
  - I. Additional juvenile finfish and crabs may not transfer to the adult population.
  - J. Difficulty in establishing enforceable boundaries.

**SHRIMP MANAGEMENT PLAN:** Goal: "maximize the economic benefit which is derived from the resource by Louisiana and the region."

- Options:
- 1. Catch limitations.
  - 2. Time and effort restrictions.
  - 3. Closed areas.
  - 4. Permits.
  - 5. Gear and vessel restrictions.
  - 6. Limited access.
  - 7. Habitat preservation/restoration requirements.
  - 8. Allocations between user



groups.

**SHRIMP TASK FORCE:** The Shrimp Task Force has begun work on developing recommendations for shrimp sanctuaries: July, 1993 - Discussed sanctuaries and requested staff to compile list of goals and objectives. *Working w/ Coop. Ext. Service*

October, 1993 - Meeting tentatively set to finalize goals and objectives and plan for coast wide public hearings.

December, 1993 - Finalize agenda and schedule for public hearings.

January- March, 1994 - Hold public hearings to gain local input and support.

March, 1994 - Compile information gathered, finalize recommendations and present findings to the Governor and the Wildlife and Fisheries Commission prior to the start of the 1994 legislative session.

**DEPARTMENT OF WILDLIFE AND FISHERIES:** Currently working through the Marine Fisheries Division Coastal Study Areas to develop specific recommendations for areas reducing fishing pressure on juvenile shrimp.

*look at areas that could be sanctuaries*

## NON-RESIDENT FISHING LICENSES

The major concerns of the public in regard to the N/R Fishing Licenses are the prices of the N/R 2 Day Combination Freshwater and Saltwater which carries a price of \$23.00 for 2 days, and the N/R 7-Day trip which carries a price of \$26.00 for freshwater and \$26.00 for saltwater.

In comparison to Texas the price to fish in Toledo Bend from the Texas border is only \$10.00 for 5 days , whereas the Louisiana rate is \$26.00 for 7-days. In the past visitors purchased the 2-Day Combination Freshwater and Saltwater license to fish in the Toledo Bend area, however, the cost for it has escalated from \$8.50 to \$23.00 within 1 years time causing the Toledo Bend visitors to go to the Texas side to purchase their N/R licenses.

Over-all, most complaints come from the 2 Day Combination Freshwater and Saltwater License. However, the 7-Day Trip Licenses do warrant some study also.

	Freshwater License	Saltwater License
Alabama	\$16.00/7day	\$32.00/7day
Arkansas	\$15.00/14day	
	8.00/3day	
Florida	15.00/7day	15.00/7day
Mississippi	8.00/3day	8.00/3day
Texas	10.00/5day	17.00/stamp
Louisiana	26.00/7day	26.00/7day
	2 Day combo	\$23.00

\$ 15.00

# NON-RESIDENT LICENSE FEE INCREASES

N/R LICENSE TYPES	92/93 7/1/92	93/94 7/1/93	93/94 8/1/93
N/R FISHING TRIP (7-DAY)	10.50	15.50	26.00
N/R FISHING SEASON	15.50	20.50	31.00
N/R SALTWATER TRIP (7 DAY)	15.50	15.50	26.00
N/R SALTWATER SEASON	25.50	25.50	36.00
N/R HUNTING TRIP (5 DAY)	40.50	40.50	51.00
N/R HUNTING SEASON	75.50	75.50	86.00
N/R BIG GAME	40.50		
N/R ALL GAME SEASON		150.00	160.50
N/R ALL GAME TRIP (5 DAY)		85.00	95.50
N/R MIGRATORY GAME BIRD (3 DA	25.00	35.00	45.50
N/R BOW	10.50	15.00	25.50
N/R MUZZLELOADER	10.50	15.00	25.50
N/R 2 DAY SW-FW FISHING	8.50	12.50	23.00
TO SALTWATER FISH	31.00	46.00	67.00
TO SALTWATER FISH TRIP	26.00	31.00	52.00
TO HUNT BIG GAME	116.00	150.00	160.50

WAS A 3 DAY TRIP IN 92/93

REPLACED BY ALL-GAME

COMPARABLE TO HUNTING & BIG GAME COMBIN

COMPARABLE TO HUNTING & BIG GAME COMBIN

=====

## N/R RECREATIONAL GEAR FEES

HOOP NET	20.00	20.00	80.00
SLAT TRAPS	20.00	20.00	80.00
CRAB TRAPS	10.00	10.00	40.00
SHRIMP TRAWLS	25.00	25.00	100.00
OYSTER TONGS	5.00	5.00	20.00
CRAB TRAP W/TROTLINE	1.00	1.00	4.00

This legislation also increased these fees from 2 X the Resident fees to 4 x the resident fees.

\$400,000

23% of License  
John 57%

Fresh

100 Bureau

382  
3

SOUTHERN STATES COMPARISON OF NON-RESIDENT FEES

State of Residence	N/R Fish Season	N/R Fish Trip	N/R Fish Trip	N/R Salt Trip	N/R Hunt Season	N/R Hunt Trip	N/R Bow	N/R Mig. Game Bird	N/R Muzzle	N/R All Game Season	N/R All Game Trip
ALABAMA	\$31.00 Combo \$61.00	7-day \$16.00	7-day \$32.00	\$47.00 Can purchase just Saltwater	\$17.00	7-day \$16.00	N/A		N/A	\$177.00	7-day \$52.00
ARKANSAS	\$25.00	14-day \$15.00 3-day \$8.00			\$50.00	5-day \$30.00	in-cluded in All Game		in-cluded in All Game	\$150.00 Inc. muzzle & bow	5-day \$100.00 3-day \$75.00
FLORIDA	\$30.00	7-day \$15.00	7-day \$15.00	\$30.00			\$5.00		\$5.00	\$150.00	10-day \$25.00
MISSISSIPPI	\$25.00	3-day \$6.00 8.00	3 day \$6.00 8.00	\$20.00	\$75.00	5-day \$30.00	\$30.00 Inc. muzzle.		(see bow)	\$225.00 does not inc. bow or muzzle	3-day \$105.00
TEXAS	\$20.00	5-day \$10.00	\$7.00 Salt-water stamp	\$7.00 Saltwater stamp	\$75.00	5-day \$25.00	\$7.00			\$200.00 does not include bow	
LOUISIANA	\$31.00	7-day \$26.00	2 day \$23.00	\$36.00	\$86.00	5-day \$51.00	\$25.50	3-day \$45.50	\$25.50	\$160.50 does not include bow or muzzle.	5-day \$95.50

120  
30  
150

Hugh

1502

HOUSE BILL NO. 655 Act # 754

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 56:6(28), relative to nonresident license fees; to provide for recreational hunting and fishing licenses; to provide for the authority of the Louisiana Wildlife and Fisheries Commission; to provide for rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:6(28) is hereby enacted to read as follows:

§6. Special powers and duties; statistics; rules and regulations; reports

The commission, through its secretary:

\* \* \*

(28) May impose, by rule, a fee for nonresident recreational hunting licenses and nonresident recreational fishing licenses. The fee set by the commission shall supersede any such fee set by law. The provisions of R.S. 49:967(D) shall not apply to the adoption of the fees authorized by this Paragraph. The nonresident recreational hunting licenses shall be those nonresident licenses and the nonresident stamps authorized by Subpart A and Subpart A-1 of Part IV of this Chapter. The nonresident recreational fishing licenses shall be those nonresident licenses authorized by Subpart B of Part VI of this Chapter.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

HOUSE BILL NO. 681

Act # 256

BY REPRESENTATIVES LANDRIEU, DEANO, HOLDEN, JETSON, MCHAINS, REILLY, RIDDLE, ROACH, STINE, THEUNISSEN, PIERRE, SAM THERIOT, TRICHE, AND PATTI

AN ACT

To amend and reenact R.S. 56:104(A)(2), (4), and (6) and 105(B), as amended by Act No. 856 of the 1992 Regular Session, R.S. 56:302.1(A)(2) and (C)(2)(a) and 302.3(C) and R.S. 56:302.1(A)(1), (B), and (C)(2)(b), as amended by Act No. 874 of the 1992 Regular Session, relative to nonresident hunting and recreational fishing licenses; to provide for increases in certain nonresident hunting license fees; to provide for increases in certain nonresident recreational fishing licenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:104(A)(2), (4), and (6) and 105(B), as amended by Act No. 856 of the 1992 Regular Session, R.S. 56:302.1(A)(2) and (C)(2)(a) and 302.3(C) and R.S. 56:302.1(A)(1), (B), and (C)(2)(b), as amended by Act No. 874 of the 1992 Regular Session, are hereby amended and reenacted to read as follows:

§104. License fees; reciprocity; exceptions

A. No license shall be issued under this Part unless there has been previously paid in cash to the authorized issuing agent a fee or fees as hereinafter set forth:

\* \* \*

(2) In the case of a nonresident, except as specified in Subsection B of this Section, a basic hunting license fee of eighty-six dollars for the entire season or a basic trip hunting license fee of fifty-one dollars for five consecutive days is required to hunt, take, possess, or transport wild birds or wild

quadrupeds on which open seasons are declared, excluding bear, deer, or turkey.

\* \* \*

(4) In the case of a nonresident, except as specified in Subsection B of this Section, a fee of one hundred sixty dollars and fifty cents for the entire season or a basic trip hunting license fee of ninety-five dollars and fifty cents for five consecutive days is required to hunt, take, possess, or transport all wild birds and wild quadrupeds. In addition, a fee of twenty-five dollars and fifty cents may be charged a nonresident for the issuance of a special muzzleloader license to take deer during the special deer season for muzzleloaders as provided in R.S. 56:103(C)(2).

\* \* \*

(6) Notwithstanding any other provision to the contrary, except as specified in Subsection B of this Section, a nonresident shall be required to pay a license fee of forty-five dollars and fifty cents for a basic three-day trip hunting license to hunt, take, possess, or transport migratory game birds on which open seasons are declared.

\* \* \*

\$105. Special permits and licenses; scientific or experimental purposes; bow licenses

\* \* \*

B. In addition to all other licenses required by law, a special bow license is authorized allowing the holder of such a license to hunt with bows during bow hunting season. A fee of ten dollars and fifty cents may be charged a resident and twenty-five dollars and fifty cents may be charged a nonresident for the issuance of such a license and the proceeds therefrom shall be dedicated to the Conservation Fund, after costs for the administration of this Subsection have been deducted.

\* \* \*

§302.1. Annual license; temporary license; fees; saltwater fee

A. (1) The cost of the basic recreational fishing license is five dollars and fifty cents for residents and thirty-one dollars for nonresidents, except that residents using a rod or fishing pole, hook and line, without a reel and without using artificial bait shall pay two dollars and fifty cents per year; however, any person required by this Part to possess a basic two dollars and fifty cents license shall be subject to a maximum fine of five dollars for not possessing the license as herein required, and there shall be no court costs associated with the fine.

(2) The cost of a freshwater trout license is three dollars for residents and twenty-six dollars for nonresidents.

B. In lieu of the basic recreational fishing license, nonresidents may purchase a temporary basic recreational fishing license, which is a seven-day sport license, at a fee of twenty-six dollars. The temporary license shall be valid for seven consecutive days, including the day of issue.

C.

\* \* \*

(2)(a) The fee for the saltwater license is five dollars and fifty cents for residents and thirty-six dollars for nonresidents. A nonresident possessing a seven-day temporary basic recreational fishing license may purchase a temporary seven-day saltwater license at a fee of twenty-six dollars. As a condition of the application for and the granting of the saltwater license, all saltwater finfish caught or transported by the license holder while the license is in effect are presumed to have been taken in the waters of Louisiana.

(b) A nonresident may purchase a two-day temporary combination basic fishing and saltwater fishing license at a fee of twenty-three dollars.

\* \* \*

§302.3. Recreational gear license

\* \* \*



C. The gear fee for nonresidents is four times the gear fee for residents.

\* \* \*

Section 2. This Act shall become effective on July 1, 1993, if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 1993, or on the day following such approval by the legislature, whichever is later.

Section 3. The provisions of this Act shall supersede to the extent that they are in conflict with the provisions of Acts No. 856 and 874 of the 1992 Regular Session.

Section 4. The revenues generated from the license fee increases provided by this Act shall be deposited in the Wildlife and Fisheries Conservation Fund and shall be dedicated exclusively to the operation of the enforcement division, including the fur and refuge division of the Department of Wildlife and Fisheries.

Section 5. The nonresident license fee increases provided in Section 1 of this Act shall be applicable to a nonresident unless the state in which the resident resides charges a greater fee to a resident of this state for the same or similar license, in which case, the nonresident shall pay the same fee which his state charges to a resident of this state for the license.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**ENFORCEMENT CASE REPORT**

**AUGUST 1993**

**ENFORCEMENT CASE REPORT-AUGUST 1993**

**REGION I**

**TOTAL CASES-34**

**ENFORCEMENT-34**

**OTHER - 0**

6-Boating

7-Angling W/O A License

4-Fish W/O Resident Pole License

3-Take Illegal Size Black Bass

1-Transport W/O Required License

3-Hunting From Moving Vehicle And/Or Aircraft

1-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

3-Hunt Or Take Deer Or Bear Closed Season

3-Hunt Or Take Deer Or Bear Illegal Hours

3-Hunt Or Take Deer From Public Road

**CONFISCATIONS:**

3 undersize black bass, 3 guns.

**GRAND TOTAL OF EACH CATEGORY FOR REGION I:**

6-Boating

13-Hunting

15-Fishing

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**REGION 2**

**TOTAL CASES-44**

**ENFORCEMENT-44**

**OTHER - 0**

19-Boating

9-Angling W/O A License

11-Fish W/O Resident Pole License

4-Hunt Or Take Deer Or Bear Closed Season

1-Operating While Intoxicated

**CONFISCATIONS:**

1 deer, 1 rifle.

**GRAND TOTAL OF EACH CATEGORY FOR REGION 2:**

19-Boating

20-Fishing

4-Hunting

1-Miscellaneous

**REGION 3**

**TOTAL CASES-189**

**ENFORCEMENT-166**

**OTHER - 23**

58-Boating

85-Angling W/O A License

4-Fish W/O Resident Pole License

1-Take Or Possess Game Fish Illegally

12-Possess O/L Of Red Drum In Excess Of 27"

1-Take Illegal Size Black Bass

2-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

1-Fail To Maintain Records

2-Blocking Passage Of Fish

2-Hunt From Public Road Or Road Right-Of-Way

1-Possession Of Wild Quadrupeds Or Wild Birds

6-Take/Possess Spotted Fawn

2-Taking Or Possession Of Other Non-Game Birds-No Season

1-Not Abiding By Rules And Regulations On WMA

10-Criminal Trespass On State Property

1-Illegal Spotlighting From Public Road

**CONFISCATIONS:**

69 black bass, 5 spotted fawns, 1 spike buck, 31 white perch, 1 resident fishing license.

**GRAND TOTAL OF EACH CATEGORY FOR REGION 3:**

58-Boating

108-Fishing

23-Other

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**REGION 4**

**TOTAL CASES-28**

**ENFORCEMENT-28**

**OTHER - 0**

9-Boating

11-Angling W/O A License

4-Fish W/O Resident Pole License

2-Not Abiding By Commission Rules

2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

**CONFISCATIONS:**

2 guns.

**GRAND TOTAL OF EACH CATEGORY FOR REGION 4:**

9-Boating

17-Fishing

2-Hunting

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**REGION 5**

**TOTAL CASES-159**

**ENFORCEMENT-155**

**OTHER - 4**

64-Boating

55-Angling W/O A License

2-Use Gear W/O Recreational Gear License

5-Taking/Poss. Over Limit Or Undersized Freshwater Gamefish

2-Take Or Poss. Undersized Red Drum

2-Take Or Poss. Undersized Spotted Sea Trout

2-Take Or Poss. Undersized Black Drum

3-Poss. O/L Spotted Sea Trout

4-Not Abiding By Commission Rules

1-Take Commercial Fish W/O Comm. Gear License

1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

1-Transport W/O Required License

4-Use Crab Traps W/O Required Markings

1-Theft Of Crab Traps

2-Possess Or Sell Undersize Crabs

1-Take/Possess Spotted Fawn

3-Illegal Spotlighting From Public Road

1-Possess/Take Undersize Federal Controlled Fish

2-Possess/Take Over Limit Federal Controlled Fish

1-Fail To Keep Federally Controlled Fish Intact

1-Driving Without Operators License

**CONFISCATIONS:**

113 speckled trout, 10 bass, 8 cobia, 5 red drum, 3 black drum, 1 spotted fawn, 5 1/2 crates of crabs released

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**REGION 5 CONT'D.**

**CONFISCATIONS CONT'D.**

to water, 92 red snapper (red snapper sold for \$870.20).

**GRAND TOTAL OF EACH CATEGORY FOR REGION 5:**

64-Boating

88-Fishing

3-Miscellaneous



**REGION 6**

**TOTAL CASES-145**

**ENFORCEMENT-143**

**OTHER - 2**

72-Boating

31-Angling W/O A License

23-Fish W/O Resident Pole License

1-Taking/Poss. Over Limit Of Undersized Freshwater Gamefish

4-Take Illegal Size Black Bass

1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

3-Use Oversize Trawl, Trawl Board

2-Trawl In Restricted Areas

1-Possess Live Wild Quadrupeds, Wild Birds W/O Permit

1-Taking Or Possession Of Other Non-Game Birds-No Season

1-Not Abiding By Rules And Regs. On WMA

4-Discharge Firearm From Public Road

1-Fishing Non-Resident License

**CONFISCATIONS:**

13 black bass, 1 squirrel, 2 Mississippi kite held as evidence.

**GRAND TOTAL OF EACH CATEGORY FOR REGION 6:**

72-Boating

66-Fishing

7-Hunting

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**REGION 7**

**TOTAL CASES-209**

**ENFORCEMENT-201**

**OTHER - 8**

**43-Boating**

**1-Allow Another To Use Recreational License**

**91-Angling W/O A License**

**17-Fish W/o Resident Pole License**

**2-Use Gear W/O Recreational Gear License**

**17-Angling W/O Saltwater License**

**1-Poss. O/L Of Red Drum**

**2-Take Or Possess Undersized Spotted Sea Trout**

**1-Fail To Have Commercial License In Possession**

**2-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License**

**3-Take Commercial Fish W/O Commercial Gear License**

**1-Take Or Possess Commercial Fish W/O Vessel License**

**2-Illegal Use Of Monofilament**

**1-Sell And/Or Purchase Game Fish**

**1-Fail To Comply With Quota Closure Spotted Sea Trout**

**12-Sell Undersize Crabs**

**2-Trawling Lake Ponchartrain-Closed Area**

**1-Possess Live Wild Quadrupeds, Wild Birds W/O Permit**

**1-Hunt Squirrel Closed Season**

**1-Operating While Intoxicated**

**4-Illegal Spotlighting From Public Road**

**2-Other Than Wildlife And Fisheries**

**1-Violation Of Sanitary Code-Chapter 9**

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**REGION 7 CONT'D.**

**CONFISCATIONS:**

51 specs, 7 reds, 1 coon, 90 sacks of oysters, 2,800 lbs. of crabs, 2 squirrels.

**GRAND TOTAL OF EACH CATEGORY FOR REGION 7:**

43-Boating

2-Hunting

156-Fishing

8-Miscellaneous

**REGION 8**

**TOTAL CASES 386**

**ENFORCEMENT 327**

**OTHER - 59**

53-Boating

70-Angling W/O A License

9-Fishing Non-Resident License

4-Use Gear W/O Recreational Gear License

8-Angling W/O Saltwater License

4-Fish W/O Non-Resident Saltwater License

4-Take Or Possess Game Fish Illegally

9-Possession O/L Of Red Drum

20-Take Or Possess Undersized Red Drum

8-Take Or Possess Undersized Spotted Sea Trout

4-Take Or Possess Undersized Black Drum

3-Possess O/L Spotted Sea Trout

3-Take Or Possess O/L Black Drum

9-Take Or Sell Commercial Fish Or Bait Species

2-Take Commercial Fish W/O Commercial Gear License

9-Take Or Possess Commercial Fish W/O Vessel License

2-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

1-Transport W/O Required License

7-Leave Nets Unattended

3-Take/Possess Undersize Commercial Finfish

2-Sell And/Or Purchase Game Fish

1-Buy Commercial Fish From Un-Lic. Fisherman

5-Blocking Passage Of Fish

**REGION 8 CONT'D.**

- 4-Destroy Legal Crab Traps Or Removing Contents
- 3-Allow Another To Use Commercial License
- 5-Fail To Comply With Quota Closure Spotted Sea Trout
- 3-Permit Unlicensed Person To Operate Commercial Vessel
- 3-Permit Unlicensed Person To Use Commercial Gear
- 2-Use Illegal Length Gill Nets
- 4-Failure To Mark/Tag Nets
- 1-Take/Possess Undersized Black Drum
- 12-Possess Or Sell Undersized Crabs
- 1-Poss. Red Drum Illegally
- 7-Failure To Have Written Permission
- 2-Unlawfully Take Oysters Off A Private Lease
- 13-Take Oysters Closed Season
- 1-Failure To Tag Sacked Or Containerized Oysters
- 3-Harvest Oysters W/O Oyster Harvester License
- 34-Trawling In Closed Season
- 1-Trawling Inside Waters W/Oversized Double Rigs
- 5-Use Oversize Trawl, Trawl Board
- 1-Trawl In Restricted Areas
- 20-Butterflying In Closed Season
- 6-Use Skimmers In Closed Season
- 5-Illegal Spotlighting From Public Road
- 1-Other Than Wildlife And Fisheries
- 1-Possess/Take Undersize Federal Controlled Fish
- 2-Lacy Act

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**REGION 8 CONT'D.**

1-Violation Of Sanitary Code-Chapter 9

5-Not Abiding By Rules And Regs. On WMA

**CONFISCATIONS:**

11,942 lbs. of shrimp sold for \$18,466.15, 187 lbs. of assorted \$112.00, 5,000 feet of gill net, 34 trawls, 16 butterfly nets, 11 oyster dredges, 6 skimmer nets, 1 p.f.d, 15 oyster tags.

**GRAND TOTAL OF EACH CATEGORY FOR REGION 8:**

53-Boating

132-Sport Fishing

90-Commercial Fishing

67-Trawling

26-Oyster

5-WMA

13-Miscellaneous

**REGION 9**

**TOTAL CASES-104**

**ENFORCEMENT-104**

**OTHER - 0**

28-Boating

14-Angling W/O A License

3-Fish W/O Resident Pole License

1-Use Gear W/O Recreational Gear License

3-Angling W/O Saltwater License

1-Taking/Possession Over Limit Or Undersized Freshwater Gamefish

1-Poss. O/L Of Red Drum

1-Take Or Possess Undersized Red Drum

6-Take Or Possess Undersized Spotted Sea Trout

3-Fail To Have Commercial License In Possession

2-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License

6-Take Commercial Fish W/O Commercial Gear License

4-Take Or Possess Commercial Fish W/O Vessel License

1-Take/Possess Undersize Commercial Finfish

2-Use Crab Traps W/O Required Markings

2-Allow Another To Use Commercial License

5-Possess Or Sell Undersized Crabs

6-Trawling In Closed Season

3-Trawling Inside Waters W/Oversized Double Rigs

6-Use Oversize Trawl, Trawl Board

2-Take Shrimp Illegal Gear

2-Unlawfully Take Oysters From State Water Bottoms

1-Littering

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**REGION 9 CONT'D.**

1-Reckless Operation Vehicle

**CONFISCATIONS:**

700 lbs. of crabs released to water, 649 lbs. of shrimp sold for \$518.40, 10 sea trout, 8 black drum, 7 red drum, 347 catfish, 7 trawls, 12 trawl doors, 5 boats.

**GRAND TOTAL FOR EACH CATEGORY FOR REGION 9:**

28-Boating

55-Fishing

17-Trawling

2-Oysters

2-Miscellaneous



**OYSTER STRIKE FORCE**

**TOTAL CASES-56**

8-Fail To Have Written Permission

8-No Commercial Fisherman License

5-Unattended Gill Nets

4-Possess Undersize Spotted Sea Trout

4-No Vessel License

4-Harvest Oysters W/O Oyster Harvester License

4-Violation Sanitary Code-No Tarp

3-Permit Unlicensed Fisherman To Use Commercial Vessel

3-Permit Unlicensed Fisherman To Use Commercial Gear

2-Possess Undersize Crabs

2-Possess Spotted Sea Trout Commercially During Closure

2-Block Passage Of Fish

1-No Gear License

1-Possess Overlimit Of Red Drum

1-Possess Undersize Black Drum

1-Allow Unlicensed Fisherman To Use Commercial Fisherman's License

1-Theft Of Oysters From Private Lease

1-Possess Untagged Oysters

1-Fail To Comply With P.F.D. Requirements

**CONFISCATIONS:**

15 spotted sea trout, 7 lbs. of shrimp, 9 red drum, 2600 feet of gill net, 89 sacks of oysters, 1 commercial license.

**SPECIAL STRIKE FORCE**

**TOTAL CASES-112**

**35-Boating**

**21-Angling W/O A License**

**4-Fish W/O Resident Pole License**

**1-Use Gear W/O Recreational Gear License**

**9-Angling W/O Saltwater License**

**2-Take Or Possess Undersized Spotted Sea Trout**

**2-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License**

**3-Take Commercial Fish W/O Commercial Gear License**

**1-Take Or Possess Commercial Fish W/O Vessel License**

**1-Illegal Use Of Monofilament**

**2-Leave Nets Unattended**

**1-Take/Possess Undersize Cml. Finfish**

**1-Fail To Comply With Quota Closure Spotted Sea Trout**

**2-Trawling In Closed Season**

**3-Trawling Inside Water W/Oversized Double Rigs**

**3-Use Oversize Trawl, Trawl Board**

**8-Butterflying In Closed Season**

**2-Use Skimmers In Closed Season**

**1-Hunting W/O Non-Resident License**

**1-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours**

**2-Trawling In Lake Ponchartrain - Closed Area**

**1-Hunt Squirrel Closed Season**

**3-Illegal Spotlighting From Public Road**

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**STATEWIDE STRIKE FORCE CONT'D.**

**1-Possess/Take Over Limit Federal Controlled Fish**

**CONFISCATIONS:**

**1,063 lbs. of shrimp sold for \$1,325.75, 6 butterfly nets, 5 shrimp trawls, 4 trawl boards, 1,600 feet of gill net, 90 h.p. Yamaha outboard, 1 rifle, 13 spotted sea trout, 24 red snapper.**

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S.W.E.P.

221 ENGINE HOURS RUNNING TIME

202 BOATS CHECKED

TOTAL CASES-38

1-No Commercial Fishing License

2-Oversize Trawl Boards

19-Trawl In Closed Season

9-Take Oysters Closed Season

1-Aggravated Battery

1-Attempted Murder

5-Trawl Inside Waters/With Oversized Double Rigs Over 25 Feet

CONFISCATIONS:

12 trawls, 3 unattended gill nets approximately 1,800 Ft., 6 oversize trawl boards, 8 oyster dredges,

165 sacks of oysters returned to water.

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**TOTAL CASES ENFORCEMENT - 1202**

**TOTAL CASES OTHER DIV. - 96**

**TOTAL CASES OYSTER STRIKE FORCE - 56**

**TOTAL CASES SPECIAL STRIKE FORCE - 112**

**TOTAL CASES S.W.E.P. - 38**

**GRAND TOTAL - 1,504**

NOTES:

**1993**

BIRTHSTONE: TURQUOISE

**DECEMBER**

FLOWER: NARCISSUS

**1993**

Life is tragic for the person who has plenty to live on, but nothing to live for.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
NOTES:			1	2	3	4
5	6	7	8	9	10	11
				HANUKKAH		
12	13	14	15	16	17	18
19	20	21	22	23	24	25
						CHRISTMAS DAY
26	27	28	29	30	31	NOTES:

May. Yet people are still catching nice trout. Several 9-pounders were weighed in this May. A fish just short of 10 pounds took first place. Double-digit trout are scarce around Galveston Bay, but they're around. Non-tournament fishermen get a few each year. Maybe next year we'll see one weighed in.

"Compared to 5 or 10 years ago, the trout fishing is better now, hands down. The redfish have been good for years. I think it's a combination of factors that contributed to this better fishing. TP&W took a stand on gill netting years ago and increased the minimum size on recreationally-caught trout to 15 inches with a daily limit of 10. The state is working closer with retailers like ourselves, too, which also helps. Our tournament helps raise money for their nearby research facility in

Seabrook," continued Marburger.

Good trout fishing helps more than tackle retailers, of course. Forrest Pomykall owns a Johnson/Tohatsu dealership in the tiny coastal town of Port O'Connor, which depends heavily on weekend fishing traffic. He and his mechanics have been busy for the past two years, but this year they've been swamped with work.

"This phenomena of people pouring into town for the weekend, trailering their boats, reminds me of that movie, *Field of Dreams*—if you build something good, people will come to enjoy it. Parks and Wildlife has managed to build a strong fishery. If they hadn't, we would not have the business we're seeing today. If fishing is good, people spend money on fishing and boating equipment. If not, they put it off. The quality of the fishing seems to dri-

ve the economy. People, for the most part, don't want to go fishing, they want to go fish catching. It's hardly ever heard in those terms, but that's what people want. And let's face it—not catching fish wears a little thin, after a time.

"I would say trout fishermen make up 60 percent of our boating traffic here. You could have redfish jumping in the boat, but most people would want trout, too. Even the specialists, with their flats boats, want trout, although they want big trout. And you don't get big trout without having lots of trout."

Visiting anglers from Florida are usually impressed with the trout fishing in Texas. Mark Nichols, who owns DOA Bait Company in Palm City, fished along the Texas coast recently, testing his lures. He shakes his head over Florida's present situation.

"Florida has naturally clear water, beautiful beaches and natural grass bottoms," says Nichols. "Our potential is unbelievable for a recreational fishery, but we aren't protecting it—or realizing the economic benefits that are possible. There are about 700 tackle shops in Florida, for instance. I don't know how many lure manufacturers, including myself, are in Florida. I know Culpit baits alone is close to a \$20 million company, with about 30 employees. Compare that to our netters. In Stuart, we have 17 registered, fulltime netters who can do more damage to the system than everyone else combined. And the Marine Patrol in our area doesn't work on the water past 11 p.m. Half the netters don't even go to work until 10 p.m."

"I was raised in Texas, and I know for a fact that Galveston Bay waters will never be as beautiful as 90 percent or more of Florida. It just can't happen."

"Protecting Florida's resource is a win/win situation. We would insure there will be fish for tomorrow, and it would bring in a phenomenal amount of money to the state. But first we've got to get rid of the nets. Any netter who is a halfway decent businessman, with a decent personality, would make an excellent living as a fishing guide."

"What we have now in Florida, with these nets everywhere, is a very sad situation. It's time for a change," said Nichols. FS

*Editor's Note: Joe Richard is a Texas-based writer who has seen and experienced the beneficial changes in that state for himself.*

## Former Netter Making "Good Living"

One of the Texas netters whose gear was outlawed is Smokey Gaines, who now works as a fishing guide out of Port Aransas. Smokey makes a "dam good living" as a guide. He isn't ashamed of his previous occupation, but says that after years of netting in Texas, the "hand writing was on the wall."

Last year, he guided Texas Governor Ann Richards and her daughter on some 6-pound trout during two days of fishing. Smokey proudly keeps an enlarged copy of the governor's personal check for \$525, framed above his office desk. That isn't bad pay for two mornings on the water with a pair of intelligent, cheerful ladies.

"I netted flounder part-time, and I paid for my first child's birth, my hunting habits and a few things around the house with that money," says Smokey. "Our nets were 150 feet long and sometimes we'd fish two nets tied together over a big sand bar. We'd use 6-inch stretch monofilament webbing and the fish wouldn't feel the mono until it was too late. Our by-catch consisted of most other species that lived in the bay, including big mullet up to 9 pounds, tarpon, tons of stingrays, redfish, some trout, black drum and lots of catfish."

"Getting caught at illegal netting was only a slap on the wrist," he continues. "The fine back then was only \$27.50. If you were unlucky, you lost your net. The only time I ever got caught, I was netting in broad daylight in closed waters. I got my net back, though. Generally, we'd fish as the cold fronts came through and we'd take 350 or 400 pounds of flounder that averaged 2 to 4 pounds each."

"However, as the years went by, I could see our flounder nets were gradually taking a toll on those fish. Our catches began to decline. The pier fishermen nearby, many of them winter tourists, weren't getting many flounder. A year after we stopped netting, you could see the difference. The pier fishing improved."

"Netters today in other Gulf states don't realize they're not fishing for a certain species—gill nets catch everything. They're non-selective, and don't ever let a netter tell you otherwise. My advice to Florida netters is to do what netters in Texas did: Go get a guide's license and start a legitimate business. Netters already know where the fish are during the seasons. They had to know where the fish were to net 'em in the first place. Forget the nets. It's a thing of the past. Local bay waters feed everyone."

"I'd say that Florida is in trouble, and if they don't fix things, trout fishing there will become a thing of the past," Smokey concludes.

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BATON ROUGE, LA

September 2, 1993

10:00 AM

- I-000 1. Roll Call
2. Approval of Minutes of August 5, 1993
3. Report on Cormorants in the State - Jimmy Jenkins/~~Corky Perret~~ *Arthur Williams*
- I-351 4. Update on Hypoxic Area off Louisiana Coast - Tee John Mialjevich  $\leq 2 \text{ ppm}$  DO
- I-560 5. Aircraft Report - Lee Caubarreux - II
- II-126 6. Declaration of Emergency for Duck, Goose and Coot Hunting Season Dates - Robert Helm
- II-220 7. Wild Louisiana Stamp Administrative Rules and Policy - Gary Lester ~~III~~ *Sharyn Bortman*
- III-80 8. Notice of Intent - Change Alligator Rules to Comply with Statute Changes - Johnnie Tarver
- III-279 9. Declaration of Emergency - Set Trapping Season - Johnnie Tarver
- IV-450 10. Discussion of Mussel Plan - Bennie Fontenot V
- IV-395 11. Ratify Menhaden Season - Harry Blanchet
- V-90 12. Notice of Intent - Commercial Fisherman's Sales Report Form - Joey Shepard
- V-160 13. Notice of Intent - Dealer Receipt Form - Joey Shepard
- VII-200 14. Discussion of Shrimp Sanctuaries (Informational Purposes Only) - Corky Perret/Brandt Savoie VI
- VI-503 15. Civil Restitution and Class 1 Update - Wynnette Kees
- III-350 16. Discussion of Non-Resident License Fees (Informational Purposes Only) - Fred Prejean/License Section IV
- VII-580 17. Monthly Law Enforcement Report/August - Winton Vidrine *Arthur Williams*
18. Secretary's Report to the Commission - Joe Herring
19. Set December 1993 Meeting Date *dec 2*
20. Public Comments



# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

August 27, 1993

## MEMORANDUM

TO: Mr. Bert Jones, Chairman, LWFC  
FROM: Joe L. Herring *JLH*  
RE: Out-of-State Trip License Fee

Bert, to bring you up to date on out of state trip license fees we know of these complaints:

1. Correspondence from Representative Joe R. Salter, attached.
2. Henry Suehlak, Carriere Ms. correspondence, attached.
3. Senator Chris Ullo, 8/6/93 had 3 way phone hook-up with Mr. Karl Thayer, Grand Isle with complaint. I talked again with Mr. Thayer 8/9/93 about license.
4. Sheldon Howard, 318/645-9455 not happy with increase 8/9/93.
5. Senator Don Kelly, 8/9/93 called said he was receiving complaints from Toledo Bend area.
6. Glen Carver 318/256-5611 called 8/11/93 and 8/13/94 stated increase has hurt Louisiana sales at Toledo Bend. Last week he had 27 people leave his shop, go 3 miles, buy Texas license for \$10.00 to fish Toledo Bend. When they do this they stay on the Texas side. Louisiana loses money for motel rentals, restaurants, other food supplies, etc. Also lose license sales tax and federal funds by not selling a license.
7. Mr. Karl Thayer, Bon Voyage Marina 504/787-3179 had tourist bus from Tennessee at his business they did not want to pay high price, left and said they could not advocate Louisiana fishing.

Page 2  
Bert Jones  
August 27, 1993

8. License Section, Baton Rouge office stated they have received over a hundred complaints from increases.

This is for your information.

Looking forward to seeing you Thursday.

Thanks!

JLH/pc

*Bert  
Two letters added not in Cover letter*

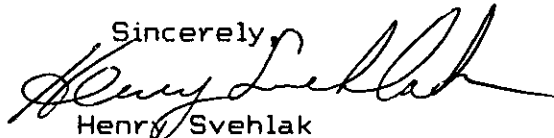
Director  
Louisiana Dept. of Wildlife and Fisheries  
P.O. Box 98000  
Baton Rouge, La. 70898-9000

August 23, 1993

Dear Sir:

Recently I was going to buy an out of state fishing license to go fishing in the marshes near the Chandeluer Islands. I was shocked at the the price of these permits and further shocked when the clerk told me that the price had increased twice in the last 6 months. The reason given to me for these increases was that Mississippi had increased their out of state fees and Louisiana was just reciprocating by increasing their fees. This sounds like two neighbors who cannot get along and doing want they can to make life miserable for each other. This is a stupid move for both states and in the long run more money will be lost by both states in tourism and purchase of supplies like gas, fishing supplies, bait, food, lodging and other expenses necessary when someone goes fishing, than the money raised by the increase in fees. Needless to say, I did not buy the fishing licenses for Louisiana and local Louisiana merchants lost out on the money that I would have spent in Louisiana for not only this fishing trip, but for many others trips. In the short term, this increase in fees may raise a little more revenue for your organization, but in the long run your state and the businesses in your state will suffer.

Sincerely,



Henry Svehlak

Rt. 1 Box 327A  
Carriere, Ms. 39426

RECEIVED

AUG 26 93

SECRETARY

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

August 25, 1993

Honorable Joe R. Salter  
Louisiana State Representative  
P. O. Box 250  
Florien, LA 71429

Re: Trip-Fishing License

Dear Joe,

As requested, out-of-state trip fishing license fees have been placed on the agenda for discussion by the Louisiana Wildlife and Fisheries Commission at the September 2, 1993 meeting in Baton Rouge at 10:00 AM.

Thanking you for your interest in the wildlife resources of our State, I remain

Sincerely,

A handwritten signature of Joe L. Herring, consisting of a stylized 'J' and 'H'.

Joe L. Herring

JLH/pc

C: Mr. Bert Jones, Chairman, LWFC  
Mrs. Wynnette Kees, Fiscal Officer



JOE R. SALTER  
DISTRICT 24

STATE OF LOUISIANA  
HOUSE OF REPRESENTATIVES

P. O. BOX 250  
FLORIEN, LOUISIANA 71429  
(318) 258-4135 MANY  
1-800-259-4135 TOLL FREE

APPROPRIATIONS  
EDUCATION

August 12, 1993

Mr. Joe L. Herring, Secretary  
Department of Wildlife & Fisheries  
P. O. Box 98000  
Baton Rouge, Louisiana 70898-9000

Dear Joe:

I take this opportunity to request that the issue of the new nonresident seven day trip fishing license fee be placed on the agenda for the next Wildlife & Fisheries Commission meeting. I would also like to have the opportunity to make the members aware of the adverse effect that this new fee has had on fishing and tourism on Toledo Bend Lake. As you know Act 754 of the 1993 Regular Session gives this fee setting authority to the Commission. Given the current fee of \$10.00 in Texas, our area is placed at a distinct disadvantage by the new \$26.00 fee. Perhaps our fee should simply be equal to that of Texas.

Thank you for your assistance and consideration in this matter. I look forward to hearing from you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joe R. Salter", is written over a horizontal line.

Joe R. Salter

JRS/dat

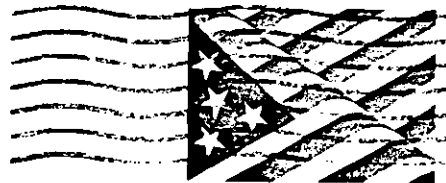
AUG 18 93

RECEIVED  
SECRETARY

8-16-93

I live in S.E. Texas and fish Sabine Lake & ship channels. My partner and I fish LA waters on occasion; therefore, we purchase LA Non-Res. Lic. We purchased the 93-4 Lic & Saltwater stamps for \$46. We will no longer buy your Lic due to the 50% increase. If the purpose of selling Fishing Lic. is to make money, I think you are going the wrong way with prices. I have talked to many of my friends who have, up to this point, purchased your Non-Res Lic. and will not in the future. Tx non-res Lic is \$20 + \$7 for Saltwater Stamps. Both my parents are LA natives. My family lives in Gonzales, LA. I am very disappointed with the "SPORTSMAN'S PARADISE." - Ken Miles

KEN MILES  
716 S. 5 1/2 ST  
NEDERLAND



USA 19

LDWF  
Wildlife & Fisheries Commission  
2000 Quail Dr  
Baton Rouge, LA 70808  
AUG 20 93



# Toledo Bend Country

WEST CENTRAL LOUISIANA

August 24, 1993

AUG 25 93

Mr. Joe L. Herring, Secretary  
Department of Wildlife & Fisheries  
P. O. Box 98000  
Baton Rouge, Louisiana 70898-9000

OFFICE OF THE SECRETARY  
DEPARTMENT OF WILDLIFE & FISHERIES

Dear Mr. Herring:

The Sabine Parish Tourist & Recreation Commission requests the Louisiana Office of Wildlife & Fisheries to change the seven (7) day pass out-of-state fishing licenses from \$26.00 back to the original amount of \$10.50.

We would also like for Wildlife & Fisheries to look at creating a three (3) day for pass out-of-state tourists in the amount of approximately \$5.00.

Our office has received many complaints due to the increase in fees. We market the Toledo Bend Country area in Texas, Mississippi, Missouri, Illinois, Nebraska and Iowa. These out-of-state tourists are not going to buy their licenses here in Louisiana when they can buy them so much cheaper in Texas. Thus causing our marinas/motels, restaurants and convenience stores to loose business to Texas. Once the tourists drive over to Texas to buy their fishing licenses, they stay and spend their money. This is money that should be spent in Louisiana to help our economic development situation.

Please take action now, reduce the fee.

Sincerely,



Rama Chance  
Executive Director

RC/dat

cc: Senator James David Cain  
Senator Donald Kelly  
Representative Joe R. Salter

## R E S O L U T I O N

WHEREAS Toledo Bend Reservoir, the largest man made body of water in the South, is one of the most popular fishing areas in the Country, and

WHEREAS the Sabine River Authority, in conjunction with parish and state organizations spend thousands of dollars each year advertising the Louisiana side of Toledo Bend and its wonderful fishing, and

WHEREAS the economy of the Toledo Bend Area depends heavily on the non-resident fisherman, and

WHEREAS approximately 22% of all non-resident 7-day trip licenses sold in Louisiana are purchased in the Toledo Bend Area, and

WHEREAS the vast majority of tourists coming to our area are becoming more and more cost conscious in determining vacation destinations, and

WHEREAS the Legislature recently increased the non-resident 7-day trip license in Louisiana from \$10.50 to \$26.00, and

WHEREAS Texas, Mississippi and Arkansas charge less than half as much for similar licenses, and

WHEREAS this vast discrepancy in prices has already caused several would be fishermen visiting Louisiana to go to Texas taking their vacation or tourist dollars with them, and

WHEREAS it is our understanding that the Wildlife and Fisheries Commission has the authority to regulate these license fees, therefore

BE IT RESOLVED that the Sabine River Authority does hereby request the Wildlife and Fisheries Commission to evaluate and revise the fee structure for non-resident fishing license to a schedule comparable with the surrounding states,


BE IT FURTHER RESOLVED that should the Wildlife and Fisheries Commission elect not to change the current fee schedule for non-residents on a state wide basis that consideration be given to a special schedule for Toledo Bend comparable to the Texas fee structure due to the fact that Toledo Bend is a border lake and




area businesses must compete with those on the Texas side of the reservoir.


The above resolution was passed by a majority of those present and voting in accordance with the by-laws and articles of incorporation.

HELD ON THE 16th day of August, 19 93.

  
ROBERT D. GEOGHAGAN, CHAIRMAN  
SABINE RIVER AUTHORITY  
STATE OF LOUISIANA

  
FINLY STANLY, VICE-CHAIRMAN  
SABINE RIVER AUTHORITY  
STATE OF LOUISIANA

ATTEST:

  
BOB THOMAS, SECRETARY  
SABINE RIVER AUTHORITY  
STATE OF LOUISIANA



RUSTON / LINCOLN CHAMBER OF COMMERCE  
RUSTON / LINCOLN CONVENTION & VISITORS BUREAU

September 1, 1993


Burt Jones  
Department of Wildlife and Fisheries  
Baton Rouge, LA

Dear Burt

As you are aware, hunting and fishing play a large role in tourism in north Louisiana and Louisiana as a whole. We at the Ruston/Lincoln Convention and Visitors Bureau feel the new increase in out of state fishing licenses will adversely affect tourism in Louisiana. For areas of Louisiana that border Texas, Arkansas and Mississippi the discrepancy in out of state fishing fees between Louisiana and these border states is so great that it will only result in a lot of lost revenues for both tourism and Wildlife and Fisheries. Fisherman who used to come to Louisiana to fish will now stay in Texas, Arkansas or Mississippi where the license is cheaper.

Thank you for your consideration.

Sincerely,

  
Joe Edmunds  
Marketing Director



DEPARTMENT OF WILDLIFE AND FISHERIES

BATON ROUGE LA 70895

August 27 1993

Mr Herring

Jeff Schneider called and wanted  
Discussion of Mussel Plan to be  
added to the agenda

Thanks!

A handwritten signature in cursive script that reads "Paula".

Paula

# Louisiana Department of Wildlife and Fisheries

## NEWS RELEASE

Joe L. Herring  
Secretary



CONTACT  
(504) 765-2923

93-222

8/27/93

### SEPTEMBER AGENDA FOR COMMISSION MEETING REVISED

The Louisiana Wildlife and Fisheries Commission has amended the agenda for its regular September meeting, scheduled for Thursday, September 2, 1993, at 10:00 a.m. in the Louisiana Room at the Wildlife and Fisheries building, 2000 Quail Drive, Baton Rouge.

The meeting is open to the public. The amended agenda follows.

1. Roll call.
2. Approval of August 5, 1993, minutes.
3. Report on Louisiana cormorants.
4. Update on hypoxic area off Louisiana coast.
5. Aircraft report.
6. Ratification of duck, goose, and coot season dates.
7. Wild Louisiana Stamp administrative rules and policy.
8. Notice of Intent -- change alligator rules to comply with statute changes.
9. Declaration of Emergency to set trapping season.
10. Discussion of mussel plan (informational purposes only)
11. Ratification of menhaden season.
12. Notice of Intent -- commercial fisherman's sales report form.
13. Notice of Intent -- dealer report form.
14. Discussion of shrimp sanctuaries (informational purposes only).
15. Civil restitution and class 1 update.
16. Discussion of non-resident license fees (informational purposes only).
17. Monthly law enforcement report/August.
18. Secretary's report to the Commission.
19. Set December 1993 meeting date.
20. Public comments.

August 27, 1993

NEWS RELEASE

APPROVED: 

AMENDED AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, September 2, 1993 in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

1. Roll Call
2. Approval of Minutes of August 5, 1993
3. Report on Cormorants in the State
4. Update on Hypoxic Area off Louisiana Coast
5. Aircraft Report
6. Ratify Duck, Goose and Coot Hunting Season Dates
7. Wild Louisiana Stamp Administrative Rules and Policy
8. Notice of Intent - Change Alligator Rules to Comply with Statute Changes
9. Declaration of Emergency - Set Trapping Season
10. Discussion of Mussel Plan (Informational Purposes Only)
11. Ratify Menhaden Season
12. Notice of Intent - Commercial Fisherman's Sales Report Form
13. Notice of Intent - Dealer Receipt Form
14. Discussion of Shrimp Sanctuaries (Informational Purposes Only)
15. Civil Restitution and Class 1 Update
16. Discussion of Non-Resident License Fees (Informational Purposes Only)
17. Monthly Law Enforcement Report/August
18. Secretary's Report to the Commission
19. Set December 1993 Meeting Date
20. Public Comments

# Louisiana Department of Wildlife and Fisheries

## NEWS RELEASE

Joe L. Herring  
Secretary



CONTACT  
(504) 765-2923

93-217

8/27/93

### SEPTEMBER AGENDA FOR COMMISSION MEETING ANNOUNCED

The Louisiana Wildlife and Fisheries Commission will conduct its next regular meeting on Thursday, September 2, 1993, at 10:00 a.m. in the Louisiana Room at the Wildlife and Fisheries building, 2000 Quail Drive, Baton Rouge.

The meeting is open to the public. The agenda follows.

1. Roll call.
2. Approval of August 5, 1993, minutes.
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19. Public comments.

August 25, 1993

NEWS RELEASE

APPROVED: 

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, September 2, 1993 in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

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15. Discussion of Non-Resident License Fees (Informational Purposes Only)
16. Monthly Law Enforcement Report/August
17. Secretary's Report to the Commission
18. Set December 1993 Meeting Date
19. Public Comments

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

August 23, 1993

## MEMORANDUM

TO: Chairman and Members of Commission  
FROM: Joe L. Herring, Secretary *JLH*  
RE: September Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, September 2, 1993, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

The following will be on the agenda:

1. Approval of Minutes of August 5, 1993

## JIMMY JENKINS

2. Report on Cormorants in the State

## TEE JOHN MIALJEVICH

3. Update on Hypoxic Area off Louisiana Coast

## LEE CAUBARREAU

4. Aircraft Report
5. Ratify Duck, Goose and Coot Hunting Season Dates
6. Wild Louisiana Stamp Administrative Rules and Policy
7. Notice of Intent - Change Alligator Rules to Comply with Statute Changes
8. Declaration of Emergency - Set Trapping Season



CORKY PERRET

9. Ratify Menhaden Season
10. Notice of Intent - Commercial Fisherman's Sales Report Form
11. Notice of Intent - Dealer Receipt Form
12. Discussion of Shrimp Sanctuaries (Informational Purposes Only)

WYNNETTE KEES

13. Civil Restitution and Class 1 Update
14. Discussion of Non-Resident License Fees (Informational Purposes Only)

WINTON VIDRINE

15. Monthly Law Enforcement Report/August

JOE L. HERRING

16. Secretary's Report to the Commission
17. Set December 1993 Meeting Date

PUBLIC COMMENTS

JLH:sch

C: Clyde Kimball  
Fred Prejean  
Lee Caubarreux  
Corky Perret  
Don Puckett  
John Medica  
Division Chiefs

State of Louisiana



Joe Hewing  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 685-2800

Edwin W. Edwards  
Governor

To  
Susan Hawthorne

Susan - I am sending a  
copy to Bert Jones - we  
are getting a number of  
calls on this - it  
should be discussed

*[Signature]*



JOE R. SALTER  
DISTRICT 24

STATE OF LOUISIANA  
HOUSE OF REPRESENTATIVES

P. O. BOX 250  
FLORIAN, LOUISIANA 71429  
(318) 258-4135 MANY  
1-800-259-4135 TOLL FREE  
APPROPRIATIONS  
EDUCATION

August 12 1993

Mr. Joe L. Herring, Secretary  
Department of Wildlife & Fisheries  
P. O. Box 98000  
Baton Rouge, Louisiana 70898-9000

Dear Joe:

I take this opportunity to request that the issue of the new nonresident seven day trip fishing license fee be placed on the agenda for the next Wildlife & Fisheries Commission meeting. I would also like to have the opportunity to make the members aware of the adverse effect that this new fee has had on fishing and tourism on Toledo Bend Lake. As you know, Act 754 of the 1993 Regular Session gives this fee setting authority to the Commission. Given the current fee of \$10.00 in Texas, our area is placed at a distinct disadvantage by the new \$26.00 fee. Perhaps our fee should simply be equal to that of Texas.

Thank you for your assistance and consideration in this matter. I look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe R. Salter".

Joe R. Salter

JRS/dat

AUG 18 93

T Y

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

August 5, 1993

## MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, and Assistant Secretary-Office of  
Fisheries

FROM: Joe L. Herring, Secretary *JLH*

SUBJECT: Commission Meeting Agenda - September 2, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, August 17, 1993 any agenda items your office may have for the Thursday, September 2nd Commission Meeting to be held in Baton Rouge, Louisiana at the Wildlife and Fisheries Building, 2000 Quail Drive. This meeting will begin at 10:00 a.m. on September 2nd. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

cc: Commissioners  
Don Puckett  
Bob Dennie  
Winton Vidrine  
Hugh Bateman ✓  
Johnnie Tarver  
Bennie Fontenot  
John Roussel  
Wynnette Kees  
Karl Turner

1) Ratifying Duck, Goose, and Coot  
Hunting Season Dates - R. Holm

2) La. Wild Stamp Administrative  
Rules and Policy - J. Lester

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

August 5, 1993

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Wynnette Kees  
Karl Turner

(1) Notice of Intent - Change Alligator Rule  
to comply with Statute change

(2) Declaration of Emergency - set  
Trapping Season

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
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August 5, 1993

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Wynnette Kees  
Karl Turner

*Susan:*  
*Mr. Jenkins asked for a report on Cormorants (Birds) in the State any studies going on or what has been done in some other States. Corky is to handle.*

*JLH*

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

August 5, 1993

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Bennie Fontenot  
John Roussel  
Wynnette Kees ✓  
Karl Turner

*Civil Restitution update*  
*W. Kees*

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
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August 5, 1993

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John Roussel  
Wynnette Kees  
Karl Turner

REC'D

AUG 12 93

OFFICE OF WILDLIFE  
ASSISTANT SECRETARY

An Equal Opportunity Employer

*OK.*  
*Enforcement Report*  
*W.L.*



RECEIVED  
AUG 10 93  
INLAND FISHERIES  
DIVISION

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
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August 5, 1993

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Bennie Fontenot ✓  
John Roussel  
Wynnette Kees  
Karl Turner

SUSAN: INLAND FISHERIES HAS  
NOTHING FOR THE AGENDA  
OF THE SEPTEMBER 2 MEETING.

*Bennie J. Fontenot, Jr.*  
BENNIE J. FONTENOT, JR.

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

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JLH/sch

cc: Commissioners  
Don Puckett  
Bob Dennie  
Winton Vidrine  
Hugh Bateman  
Johnnie Tarver  
Bennie Fontenot  
John Roussel  
Wynnette Kees  
Karl Turner

*Susan:*

*Mr. Hawkins asked for a report on Cormorants (Birds) in the State any studies going on or what has been done in some other States. Corley is to handle.*

*John H*

*I have NO Agenda ITEMS.*

*Karl Turner*

*Aug 9, 1993*

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

August 5, 1993

## MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, and Assistant Secretary-Office of  
Fisheries

FROM: Joe L. Herring, Secretary *JLH*

SUBJECT: Commission Meeting Agenda - September 2, 1993

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Karl Turner

*None -  
Clyde Kimball*

# State of Louisiana



REC'D

AUG 10 1993

INFORMATION  
EDUCATION  
ADM

Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
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Karl Turner

*8/11/93  
Joe has nothing.*

# State of Louisiana



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Secretary

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Karl Turner

*Nothing to add.* *(JP)*

RECEIVED

AUG 10 1993

OFFICE OF  
MANAGEMENT & FINANCE

REC'D

AUG 11 93

OFFICE OF WILDLIFE  
ASSISTANT SECRETARY